2/11/04.

MACKAY.

THE MACKAY
TONGUE HOUSE

HISTORY

OF

THE HOUSE AND CLAN

OF

MACKAY,

CONTAINING,

FOR CONNECTION AND ELUCIDATION, BESIDES ACCOUNTS OF MANY OTHER SCOTTISH FAMILIES,

A VARIETY OF

HISTORICAL NOTICES,

MORE PARTICULARLY

OF THOSE RELATING TO THE NORTHERN DIVISION OF SCOTLAND DURING THE MOST CRITICAL AND INTERESTING PERIODS;

WITH A

GENEALOGICAL TABLE OF THE CLAN.

By ROBERT MACKAY,

WRITER, THURSO.

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MDCCCXXIX.

TO

THE RIGHT HONOURABLE

ERIC MACKAY, LORD REAY,

This Work

IS MOST RESPECTFULLY INSCRIBED,

BY

HIS LORDSHIP'S

MOST OBEDIENT HUMBLE SERVANT,

THE AUTHOR.

ADVERTISEMENT.

THE Author, from his connection with the clan Mackay, and his acquaintance with the northern parts of Scotland, has, for a long period, had an anxious desire that a work of this kind should have been undertaken. That desire was considerably increased, from obvious reasons, after he had obtained a perusal of Sir Robert Gordon's Genealogical History of the Earldom of Sutherland; to which, however, this narrative is, on different accounts, in no small degree indebted. It required but a cursory investigation of the Scottish histories, to discover that an adequate and impartial detail of matters to the north of the Grampian mountains, was a desideratum; and the Author would have rejoiced, if a work similar to this had been executed by one of better abilities, and labouring under fewer disadvantages than those to which he has been subjected.

For several years past the Author had been arranging some notices regarding affairs in the north, without having any idea, that ever he should publish them; but circumstances which occurred of late, rendered it imperative on him to proceed in this work, both to prevent the memory of his clan, who had distinguished themselves, particularly by their bravery, for about six centuries, from falling into oblivion; and to procure some support to himself and family, in his declining years; rendered necessary from circumstances known to many of the subscribers.

Since the Author came to this city, he has been so much occupied in collecting additional information, preparing his manuscript for, and correcting the press, in order to make the publication as authentic and respectable as was in his power, that he has not been able to spare any sufficient portion of his time to procure subscriptions, which is the only cause why the names in Edinburgh are so few.

The Author must embrace this opportunity to express his most grateful acknowments to the gentlemen connected with the Register-House and public libraries, for the *free* and ready access, and polite attention, he has uniformly met with at each of these places.

He may be permitted to add, that the work contains eighty pages of letter-press more than he had originally intended; but he preferred an abatement of his profits, rather than to have the narrative injured by abridgement.

ROBERT MACKAY.

Edinburgh, August 1, 1829.

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A

HISTORY

OF

THE HOUSE AND CLAN

OF

MACKAY,

&c.

CHAPTER I.

DESCRIPTION OF MACKAY'S COUNTRY, &c.

THAT district, in the north-west extremity of Scotland, known by the name of Lord Reay's, or Mackay's, country, from Drimholisten, which divides it from Caithness on the north-east, to Kylescow, an arm of the sea dividing it from Assint on the south-west, is about eighty miles in length; and, at an average, about eighteen miles in breadth. It stands separated from Sutherland by the high mountains Bengrime,

Ben-Clibrig, Benhie, and the forest from thence to Benloid in Assint.* Mackay's country, previous to and for sometime after the reformation from popery, contained only two parishes, Durness and Farr: but it has been since divided into four, viz. Farr, Tongue, Durness and Edderachillis.

The parish of Farr is of great length, extending from Portskerray on the sea-coast to Moudale, a space of not less than forty miles; but its breadth is not proportionate. The estate of Bighouse, or Strathhalladale, though a part of Mackay's country, from its vicinity to Caithness, pays stipend to the minister of Reay in that county; but in all legal cases, the inhabitants of that estate must appear before the courts in the shire of Sutherland, as comprehending the whole of Mackay's country. The best part of this parish is the Strath of Naver, extending from Bettyhill to Moudale, about thirty miles. Strathnaver was very populous prior to the commencement of the sheep farming system in the north: it contained a considerable quantity of good arable land, which nearly supplied the inhabitants in bread; and, besides yielding much excellent pasture, commanded a great range of rich heath for rearing cattle for the southern markets. There were also considerable portions of arable land in Strathy and Armadale; the latter place having supported about forty-two families previous to the year 1792, or thereabout, when it was laid under sheep.

Two miles north-east from the church of Farr, stand the ruins of a strong fort called Borwe-Castle, which probably from its name, signify-

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* Hector Boece, whose history of Scotland was first published in Paris in 1526, describes the boundaries thus; "Merchand with Ros lyis Stranavern, the outmaist boundis of Scotland; of quhilk the se-cost lyis north-north-west, and crukis in agane sumtime fornens the Almani (Atlantic?) seis, havand fornens it, on the gret north, Cathness; on the gret eist, Sutherland; on the gret south, Ross; and on the gret west, the nor-nor-west seis. Thre gret craggis lyis on the outmaist side of Stranavern, namit Hoy, Howbrown, (Holburnhead) and Downisbie (Dunscanbay); and because thir thre rockis schutis far in the see, thay mak twa gret firthis and lochis severit fra uther." This description seems pretty accurate: at the time when he wrote, the west side of Sutherland was in the possession of Mackay, who consequently had Ross as his boundary at the south.

ing *a fort*, was built by the Danes when they commanded these northern parts of Scotland. It stood on a promontory jutting out into the sea, and joined to the land by a neck not above twelve feet broad, which had been guarded by a draw-bridge from whence a narrow pass ascended to the castle, in which two persons could not walk a breast: one side of the pass overhangs the high perpendicular rock on which the castle stood, and the castle wall confines the other side. Beyond the pass, or entry, there is a large space of ground, about forty yards long, and thirty broad, where are to be seen, besides the ruins of the castle, marks of houses where the guards resided, and the remains of a trench and wall at the extremity next the sea, at which, though the rock be high, it is accessible by climbing with some difficulty. In the middle of the fort there is a well, which at all seasons is supplied with water. The neck is at least twelve feet under the level of the ground within the fort, and seems to have been still lower. Immediately below the castle, there is a passage formed by nature through the rock, where a boat is sometimes rowed in calm weather. The castle was strongly built, the walls thick, and cemented with lime. The land from which this promontory proceeds is craggy, and much higher, and consequently the castle could not stand a siege by cannon and other ordnance, but without artillery it must have been impregnable. In the sixteenth century it was taken and demolished, as shall afterwards be narrated.* Excepting Barroch-Castle near Tongue, probably another Danish erection, this appears to have been the only place of strength in that country;

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* Mr Pope, afterwards referred to, writes, "Betwixt *Far* and *Kirtomy*, in this parish, is a most singular curiosity, well worth the pains of the traveller to view, being the remains of an old square building, or tower, called *Borve*, standing upon a small point joined to the continent by a narrow neck of land not ten feet wide. This point or head is very high, consisting of rock, and some gravel on the top; on both sides is very deep water, and a tolerable harbour for boats. This tower seems to be built by the *Norwegians;* and the tradition is, that one *Thorkel* or *Torquil* a warrior mentioned by Torfœus, was the person that built it. They speak likewise of a lady that was concealed there; she is said to be an *Orkney* woman, and Thorkel was an Orkney man. But what is most curious, is a passage below, of 200 feet in length, like a grand arch or vault, through which they

from which it would seem that the ancient inhabitants depended chiefly on their own valour, the lofty hills and rocks with which that district so much abounds, together with the lakes and arms of the sea by which it is so much intersected. There are along the water of Naver the remains of several circular towers, or duns, about sixty feet in circumference, having had comparatively little room within; the walls thick, and built of large stones without mortar, contracted towards the top, and in the shape of a sugar loaf. They do not seem to have been intended for dwelling-places, nor indeed is it easy to determine to what purpose they were appropriated, unless for beacons or watch-towers, which is most probable, as they stood within sight of each other progressively. They are vulgarly termed, *Pict's houses*, but they rather appear to have been Danish, as the former do not seem to have inhabited these parts.† One of these duns stood on the top of a high steep rock, now nearly covered with sand, at the mouth of the water of Naver, part of which is still to be seen; another, about six miles from thence, and within sight of it, stood at Dunviden, near the river from which this place seems to have received it's name: Dun-Viden, i. e. Woden's Tower.

Strathnaver, there is reason to think, had its name from the clan Abrach, descendants of John-Abrach Mackay, (of whom afterwards) who possessed it from near the beginning of the fifteenth century. In the Gaelic language, the inhabitants of Strathnaver are called *Naverich*, and that tribe are called *Aberich*. From *Strath-na-Aberich*, in Gaelic, the transition is natural and easy to *Strath-n'-Averich*; and this is coun-

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row a boat. The writer has been one of a company that rowed through it. The passage is so long that when you enter at one end, you fancy that there is no possibility to get out at the other, *et vice versa*. How this hard rock was thus bored or excavated, I cannot say, but it is one of the most curious natural arches, perhaps, in the known world." This Thorkel appears to have lived about the middle of the eleventh century.

PENNANT'S TOUR.

† There are a number of those buildings still to be seen in Orkney, where the Norwegians or Danes were the only ancient inhabitants. The greater part of a very large one stands at Burger, the property of Mr William Gordon, in the parish of Evay.

tenanced by the roll annexed to the Scots Act of Parliament 1587, cap. 94. in which that clan are termed *Clan Mackeane Awright*, and by other documents, as shall be afterwards noticed.*

There are a few places in Mackay's country, that still retain apparently Norwegian or Danish names; such as Farr, Skail, Dalharold, Halladale, in the parish of Farr; Borgy, Scrabster, Ribigil, in the parish of Tongue; Hope, Portcamul, Borley, in Durness parish. Dalharold is said to have received its name from a battle fought there with the Danes, in which their leader, Harold, was killed. At that place there is a plain of considerable extent, where a number of large stones are still seen standing upright.† Another battle was fought, probably with the Danes, about a mile east from Farr, as appears by a great many heaps of stones, or cairns, which, by length of time, are crusted with sod, from nine to twelve inches thick. In the church-yard of Farr, a curious stone stands erect, having about five feet of it above ground, bearing a variety of figures, which, there is every reason to think, are of Pagan device; and the stone itself is of such durable quality, (somewhat though not exactly of the nature of granite,) that time has made little impression on it. There are no stones to be seen in that country of the same kind, nor are there any accounts regarding it. It cannot be doubted, that when the Danes possessed, not only Caithness but the coast-side of Sutherland, they also possessed parts of Mackay's country,

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* To this it may be objected, that Angus Dow, father of John-Abrach, has been designed "of Strathnavern." But there is no evidence, or even probability, that either he or the country had that designation in his own time, or for a long period after. The earliest writer who mentions him, is Bower, who wrote nearly a century subsequent to his time, and stated the designation as it was when he wrote. But let any who may make the objection, find a more probable derivation, and then the matter will be conceded.

† Mr Pope says, "A great battle was fought of old at a place called Dal-Harale, or Harald's field or plain, betwixt Reginald king of the Isles, and Harald earl of Orkney and Caithness. Harald was well drubbed; and the field of battle is full of small cairns where the slain are buried, and some large stones erected like pillars, shew where persons of note were interred. Torfœus tells a long story about this affair; it seems that they had bloody skirmishes at ———, and near the manse of *Farr*, as appears from the number of Cairns in both these places." PENNANT'S TOUR.

and that they found the many harbours it contains, convenient when passing to and from the Hebrides.

The parish of Tongue, from the water of Borgy to Strathmelness, is about thirteen miles long, and about the same breadth from Skerray to Dinachcory. Above Tongue, one of Mackay's most ancient seats, stands a lofty hill, called Knock-en-frectan, or Watch-hill, having been, no doubt, anciently used for that purpose, for which, from its elevated round head, it is remarkably well suited. About four miles distant, Ben-Loyal shows its majestic front, supporting three towering rocks, like pyramids, often enveloped in the clouds, which are termed Skor-Chinside, Skor-Unnich, and Skor-Vatten: there is a tradition current amongst the people, that a portion of Skor-Chinside always falls on the death of a chief of the family of Mackay. Near the top of the mountain, and between the two former pinnacles, the ruins of a building called Drowle-Castle, said to have been inhabited by a Dane, who lived there alone, are still to be seen. By the term *Drowle*, he seems to have been an uncouth, wayward recluse. About two miles from Tongue, on the pinnacle of a rising promontory, stand the remains of Bar-Castle, or Barroch-Castle, a square tower of seemingly two stories, both arched, about twelve feet within, and built with mortar, less subject to decay than the stones. About twenty feet of it in height still remains; and from its situation, occupying the whole of the pinnacle on which it rests, it must have been a place of great strength and security in ancient times: but even tradition is silent as to the time, or by whom it was erected; though, as was formerly hinted, it was probably by the Danes: for it is the general opinion, that no Mackay ever occupied it. Mention, however, is made of a Bishop Bar, who lived in the eleventh century, and might have been its founder: he built a church at Dornoch, called St Bar's Church, which was demolished in 1570.*

In a small lake, lying between Ribigil and Kinloch, called Loch-Hacon, there is a little island, on which part of a building had been erected,

* Sir Robert Gordon's History of the Earldom of Sutherland, pp. 25, 156.

of stones brought from a distance of not less than fifteen miles, over rough and mountainous grounds. The lofty hill, Lurgahavel, from whence the stones were taken, stands in the centre of Mackay's forest. These stones lie nearly level in the quarry, are of a straight edge and even bed, of a pearly colour and lustre, and very durable, rising in shape like planks of timber; in thickness from one to two or three inches; in breadth from a foot to a yard or upwards; and in length from one to four, or even six yards. Had it not been inaccessible from any harbour, by the intervening hills, rocks and glens, this quarry would have been of immense value. The tradition as to the unfinished building is to this effect: A lady, whose husband governed the country, entertained a violent affection for a young man, and in order to gratify it without the privity of her lord, she resolved to build a house in that island, under pretence that she was to retire there for her devotions. She called in every one who could bear a burden, and obliged them to carry the stones on their backs from the quarry at Lurgahavel to the island; but before the building was far advanced, she was taken off by a conspiracy. The tidings flew immediately among the people, as they were on the way under their burdens, and each, as the grateful news arrived, threw off his load.—Howsoever the matter was, it is certain that the unfinished building is seen to this day, and that small parcels of the same kind of stones of which it is composed, remain in many parts of the way, betwixt the quarry and the island. More probably, however, the building might have been carried on by Hacon, Earl of Orkney, who lived in the year 1110,* intending it as a lodging for himself and his warriors, when engaged in hunting or otherwise. The erection, which is capacious, and contains an artificial walk, is called *Grinan*, or sunny house, perhaps from the beauty of its form, materials, and situation.

The bay of Tongue, or Kyle of Kintail, has a pleasing appearance, extending above six miles, from Melness point to Kinloch; it ebbs

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* Barry's History of Orkney, p. 151.

about four miles over sands abounding with cockles and other shell fish, which have always been of much benefit to the people for several miles round. Near the mouth of the bay, below Melness, there are sand banks raised by the surf, which at high-water are covered, and, in spring-tides, to a sufficient depth for porpoises to get over them. Sometimes they remain in the hollows within the banks, till the sea retires, and leaves them either on the dry sand, or in the shallow water, where they are slaughtered by the inhabitants with poles and hatchets. They are generally in length from ten to fifteen feet, and yield a good deal of oil. From the high ground leading to Tongue along the side of Knock-en-frectan, Melness has a fine appearance, rising with a gentle ascent, it having an eastern exposure, and containing a large tract of arable land. After travelling over a dreary waste of seven miles from Borgy to Coldbacky, and from thence three miles of high and uneven ground, in a semicircular direction, one is all at once most agreeably surprised, when the place of Tongue bursts suddenly into view, where nature and art have combined to render the prospect beautiful and tasteful.

Tongue is, in every respect, a residence befitting a nobleman. Its natural situation is delightful—at the foot of the aspiring Ben-Tongue, and softly washed by the low and gentle wave of the bay. The mansion-house is a mile from Kirkibol, where the church stands; from both which a tract of land extends about a mile towards the bay, and narrows gradually, until it terminates in a point. This tongue of land appears to have given name to the place; and, with this exception, there is perhaps no place in the country bearing an English name. The gardens are neat, and sufficiently large,—as much so at least as the ground could admit of, consistently with other conveniences,—for utility or pleasure. About a century ago, George, third Lord Reay, improved Tongue much, by planting and otherwise. A copious rivulet, rushing down the steep hill, yielding its various cadences through a birchen grove, until its speed is greatly checked as it passes more gently through a sloping canal, by the end of the avenue and bowling green, has a charming ef-

fect. Tongue and its vicinity have of late years been much improved and beautified, under the superintendency of Captain Donald Hugh Mackay, brother of the present Lord Reay. Behind, or at the east side of Ben-Tongue, lies the romantic valley of Dalacharn, which, for richness of pasture, is exceeded by no place in the country: it has always been Lord Reay's dairy. From Kirkiboll to the bottom of Ben-lyall, about four miles, a fertile valley extends along a small river, having the large corn and grass farms of Ribigill on the west side, and Scrabster and Falside on the east, with Kiendside at its southern extremity, and at the base of the lofty pyramid Scor-chinside. Kinloch, two miles west from Ribigill, lies at the head of the Kyle of Tongue, and at the east side of Ben-hope; it is an extensive and fertile place, having a river passing through its centre, in which salmon are caught. Kyle is a gaelic word for *narrow*, and applied to an arm of the sea.

The delightful Lake-Lyall, about five miles long, washes the foot of Ben-lyall on the east, and contains an island, where Mackay had a pleasure house in former times. Lettermore, salubrious and productive, and, at an average, about half a mile in breadth, skirts the mountain along the lake. This place maintained about forty-two families: and the people were behind none in the Highlands of Scotland in comfort, health, and harmony; having plenty to take and give, and hearts still larger than their cellars. There are three islands opposite the entry to the bay of Tongue,—Ellan-na-Naobh, Ellan-na'n-Coinan, and Ellan-Rhone, i. e. Saint's, or Holy-Island, Rabbit-Island, and Seal-Island. In the former, it is said, there had been a monastery in old times; the two latter are worthy of their names. Of Seal-Island, (which principally guards the entrance of the bay, and the rocks of which, towards the sea, are of great height,) a large portion has lately fallen in, and left a tremendous chasm.

From the Kyle of Tongue to Hope, there is a large space of boggy ground, above six miles in length, and about the same breadth, from Whitenhead, or *Rhu-hutig* to Ben-hope. The district between this bog, termed *the Moin*, or *Moin-relig*, and Loch-Eriboll, or the Kyle of

Eriboll, another arm of the sea, is called Uas-voin, or Westmoin, and is accounted part of the parish of Durness. Durness itself, distinct from the parish, seems, from its name, to have been anciently confined to the ground on the east of lakes Borley and Balnakeel, and extending from thence to Ben-kinabin; but it has long been understood to comprehend also the ground on the west side of those lakes to the Kyle of Durness. The ground on the east side is black, and on the west sandy. On the former side there is a township still called Durin; and about a mile from thence, there is a striking fall of water at the famous cove of Smoo, which in Gaelic is termed Ess. From both these, the name Durness seems to have been compounded: Du-rin-e'-ness, or *black border of the fall.* The west side lies exposed to the sands blown from the shore and links north and west of Balnakeel. This side is wholly, and the black side for the most part, bedded on limestone, which has given rise to the remark, that the people of Durness, by drinking water impregnated with lime, get sooner bald than those of other places.

This parish, from Westmoin to Parff, or Cape-Wrath, is about eighteen miles long; and in breadth, at the east, from Frashgill, near Whitenhead, not less than fifteen miles to Strathmore; and at the west, from Kerwick at Cape-Wrath to Shinness, about twelve miles. Lake-Hope is a fine body of water, about five miles long, which, after receiving the water of Strathmore, collected from the forest, and several rivulets, sends out a copious stream, roaring along through a channel full of huge and shapeless blocks of granite, until it discharges itself into Loch-Eriboll, within three miles of Whitenhead. At the upper end of Lake-Hope stands Ben-hope, which is as high as any mountain in Mackay's country, and at the west side appears truly awful and grand. From its base, near the water of Strathmore, to about three-fourths of its height, the mountain rises to the plumb, above which, its weather-beaten bare summit slopes somewhat like the roof of a house. At various seams of the perpendicular rock, a number of mountain ash and birch trees are suspended, waving in all directions to the blast. It strikes the observer with a kind of solemn yet pleasing dread, to see a wall of about two

miles in length, ascending to such an altitude; and to hear the mixed sounds of the winds sweeping along its majestic front, and the hoarser notes of the little cascades issuing from the lofty strata. In the valley of Strathmore stands one of the ancient circular towers, perhaps the most entire in the kingdom. It is at present about thirty feet in height. It is called *Dun-Dornigill*, which is englished, Dornadilla's Tower,* said to have been a hunting place of Dornadilla, the fourth king of Scotland, which seems incredible, unless it receives some countenance from the fact, that on the side of Ben-Spiunnue, bordering on Loch-Eriboll, stands a square piece of building, called Carn-Rhi, or King's Cairn; and that Torfœus mentions that the warrior Swein, from Orkney, waited on the King of Scotland, (Malcolm II.) at *Ardurness* in Strathnaver, a province of Scotland.† *Ard* or *aird* signifies a lofty headland, which being prefixed to Durness, is descriptive of that district, terminating at the mountainous headland of Cape-Wrath. Torfœus calls the province Strathnaver, as the name it was known by in his own time, but without any reference to the period to which he alludes.

Loch-Eriboll, from Whitenhead to Faoilin, is about ten miles long, and at the ferry, from Huinliam to Portchamil four miles broad. Near its centre, there is a fine level island, about a mile in length, and proportionally broad, called Ellan-e-Choery, all of limestone, and yielding pasture of the richest quality. The cattle swim to it above a mile from the shore of Eriboll, led one or two at a time, by a person in the stern of a boat. A little westward from Rispond, near the mouth of Loch-Eriboll, there is another island, about the same size as the former, called Island-Hoan, or Ellan-Hoan, a mile distant from the mainland, but less pleasant, however, as it lies exposed to the northern ocean; and

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* Hector Boece writes of Dornadilla, "He tuke gret delite in hunting, rachis, and hounds; he ordanit the slayer of an wolf to have ane ox to his reward. Our eldaris persewit this beist with gret hatrent, for the gret murdir of beistis done by the samen."—*Vol.* 1. *p.* 38-9. *Advocates' Library.*

† Charter by King Charles I. to John Earl of Sutherland, of the barony of *Ardurness*, dated 6th March 1627.—*Great Seal Register of Charters.*

the passage to and from it is dangerous, from the tides or winds. Some time ago, one of four families who lived there, consisted of a man, his wife and son: the father and son attempting to cross the ferry in a small boat, the wind blowing fresh, were both drowned in sight of the woman and her neighbours. She, in her desperation, tore off her head-dress, and cried aloud in Gaelic, *Sheud! gaoidh, sheud! gabh-en-cuich! raib-e-soal! cha nur u e ghenibh ghosa ach na rein u!* i. e. Blow! wind, blow! go mad! tear the world! it defies thee to do more to me than thou hast done!

At Cambus-en-dun, or *Tower-Creek*, are the remains of a large circular tower or dun, from which that creek on the east side of Loch-Eriboll had its name. The greater part of the land along the east side, is fertile and green, and sundry parts of it bedded on limestone: but, excepting the small place of Portchamil, the west side is moss, down to the water edge. The space between that loch and Durness, is mountainous and craggy. The lofty Ben-Spiunnue, i.e. *Mountain of Strength*, and its appendages, rise gradual and steep from the shore of the loch, and, after stretching for eight miles or thereby, terminate in a rugged mountain, called Ben-ken-na-ben, or *the Mountain of the Mountain's-end*, which looks far down, frowning on Kenabin and Rispond. With strong westerly winds, the squalls that come down from these heights, on Loch-Eriboll and the opposite shore are tremendous; nor can any who had not witnessed them, have any adequate idea of the violence with which, after intervals of almost a dead calm, they beat upon the houses, threatening to sweep all before them.

The cove of Smoo, two miles west from Rispond, is a much-admired natural curiosity. A copious stream falls with a mighty rush and noise, into a large orifice in a rock, of perhaps eighty feet high and upwards, and forms a subterraneous lake. The awfulness of the place has tended to give rise to several fabulous stories regarding it: Such as, that often a piper has been heard playing, and a cock crowing in it: that Donald, the first Lord Reay, having essayed to explore it, proceeded in a boat, until the wax torches, which gave light to him and his

company, were put out almost, and breathing became difficult, when two dogs were thrown on the lake, one of which came out at an opening about two miles from the mouth of the cove, with his hair almost off. There is no doubt an opening where the dog is said to have emerged from, but that it communicates with the cove, none is certain. There are many openings in that quarter, from its abounding so much with limestone, several of which discharge ample springs. The cove is entered by a large orifice, the lower part of which is about six feet from the ground, where a small boat is thrust into the lake: in the inside of that orifice, the lake is of considerable depth, and without it there is a lofty and capacious vault, sufficient to shelter a thousand persons from rain; the arch, at the east side, is supported by a massive pillar, disjoined from the rock, to the height of about twenty feet, and gradually tapering downwards. The vault and cove, like a whispering gallery, reverberate the voice with at least 50 per cent. interest; the stream issues from the lake, at an opening a little lower than the floor of the vault, not much more than sufficient to give it egress, from whence it flows to the sea, about twenty yards distant at high water.

Lake Borley lies about a mile south-west from Balnakeel, *Kirktown*, and is about a mile in length, and nearly half as much in breadth, with a little island in its centre, which yields excellent pasture. Its depth is not known, although an attempt to sound it was made by a line of ninety fathoms. The south-west end of the lake is not a quarter of a mile from the kyle of Durness at Keoldale, and the former is seen to be elevated but a few feet above the latter at high water: so that the bottom of the lake is an immense depth below the bed of the kyle. Although there is scarce any water seen passing into the lake, a large body issues from it, which, after running a short distance above ground, disappears into a subterranean drain, and after finding its way for half a mile below craggy hills, seemingly in a straight direction, breaks out at the foot of a steep rock, where it enters into the lake of Balnakeel.

The kyle of Durness also merits some notice. It ebbs and flows at spring-tides, not less than six miles; and receives the pretty large river

of Durness, soon after the confluence of its various branches, roaring and murmuring in their descent from the contiguous and distant mountains. This arm of the sea, though not less than seven miles long, is no where one broad, and near its mouth, is not half so much. At flowing spring-tides the sea skims over its level sand-bed, with surprising rapidity; and advancing layer above layer, with a hoarse complaining sound, it is both frightful and dangerous to cross the yielding sands, even at a considerable distance from the border of the tide.

Durness may be called the grange of the country. Keoldale, Clashneach, and Borley, are good farms, and Balnakeel is exceeded by few in the two northern shires. About the year 1740, Donald, then Master, afterwards Lord Reay, built a stately house at the latter place, far superior to that of Tongue; but Durness is without trees, as, like Caithness, it is level, and exposed to the northern blasts, by which the growth of timber is obstructed. Close by the site of the house of Balnakeel, a castle formerly stood, only a few stones of which are now to be seen. Durness is bounded on the south-west and west, by a chain of mountains, stretching north from Glash-ben, *Grey Mountain*, and terminating abruptly at Cape-Wrath.

The parish of Edderachillis from Sandwood at the north, to Glencuil at the south, is about twenty-seven miles in length. Excepting four or five small places, this parish is habitable only along the coast, and, for the most part, on the lochs or sea-arms with which it abounds. Edderachillis proper, the name signifying *between two kyles*, is the tract of land lying between Loch-Laxford and Kylescow. From Loch-Laxford north to Loch-Inshard, the proper name is *Kerru-garbh*, or *Rough-quarter*, which it well deserves; and from thence to Sandwood, is *Doch-en-Asherin*, or *the Davoch of the Ashers*, in modern times called Oldshores. The lower grounds of this parish are more than half surrounded by the high mountains, Parff, Glashbhin, Foinabhin, Arcol, Stack, and Benleod; and, abounding as they do, with innumerable bare-headed rocks of granite, and small lakes, when viewed from any of these mountains, particularly from Foinabhin, Arcol, or Stack, they have the ap-

pearance of a plain of a greyish hue, tinged with brown, and countless silvery plats interspersed: but when seen from ground a little elevated and centrical, they seem as a mere chaos of bald grey rocks. Indeed one would, on viewing it from a distance, be ready to think that there was no residence in Edderachillis for any of the human kind: but it is a great mistake, because few Highlanders lived better, or were more strong and healthy, than in this parish. The inhabitants had easy and safe access to fishing in the numerous sea arms and creeks, which were generally at two seasons of the year visited by great shoals of herring; and besides being always supplied with other fish, the glens, hollows, and shades, which are beyond reckoning, afforded excellent pasture and shelter to the cattle, few of which were housed even in the most severe winter storms. There are some places in this parish, such as Glendow, *black-glen*, and Glencuil, *back-glen*, on which the sun shines not during the three winter months. That sea arm called Kylescow, from the Gaelic Killis-cuig, *narrow kyle*, or literally, *small narrow*, is in breadth, at its entrance at Kylestrome, *rapid kyle*, not above a stone-cast; but its length, within that narrow, is not less than two leagues, and its breadth from Mauldy to Unapool is about the same extent; the tide in the narrow runs exceeding rapidly.

Scoury is incomparably the best in the parish as to corn farms: this together with Handa-Isle, Oldshores, and Sandwood, are the only places where a plough can be used; in all others, the instrument for turning up the ground is Cass-crom, *crooked-foot*, the head and shaft of which is of one piece of birch-wood; the former, shod with iron somewhat broad, is three feet long from the crook from which the head and shaft proceed, where a peg is fixed, for the foot to push it forward into the earth; the tool is equally between a straight and a right angle; and simple as it appears to be, a man will turn up as much ground with it, as four men could do with spades.

Handa-Island stands separated from the rude craggy headlands of Scoury and Tarbert, by a ferry about a mile broad; and by its even surface of two miles in length, and one in breadth, seems as if not of kin

to any part of this parish, but wafted thither from Durness, or some other more inviting shore. The herrings caught in the lochs and creeks are of a superior quality, and were formerly fished, not only by the inhabitants, but by strangers from many distant parts: but, whatever may be the cause, they have in a great degree deserted these shores for several years past. On some occasions they have been so thick and pent up in Kylescow-loch, that they have run ashore in myriads. Wild and uncouth as this parish appears, it afforded beef, mutton, butter, cheese, fish, &c. not excelled by any of the kinds in Scotland. Scarce any place is equal to it for goats, which, by feeding on the herbs in the crags and precipices, yielded milk and cheese of a superior excellence in taste and quality. It is common there to see great blocks of granite, some of them not less than twenty feet diameter, heaped above others in the face of a rock, from the bottom near to the top, but gradually smaller as they are elevated; and what is still more surprising, large blocks, in numberless instances are seen detached and solitary on the tops of the highest crags, almost all of which, indeed, have such a block for their crown. These remarkable redundancies, and the general confusion that appears in this parish, can only be accounted for by some great convulsion of nature having taken place there, at some remote period of the world. Loch-more, *(great lake,)* five miles long, and proportionably broad, lies low in the forest, surrounded by high mountains, never freezes, and sends out the river of Laxford, which, after passing through Lake-Stack, and another not so large, falls into Loch-Laxford at Dalachrackwell. The names of several places in this parish are equally uncouth as itself; such as, Achtagfarie, an extensive rich grass farm; Invernaclash-fiarn, Invernaclash-fleucherach, Portlayworachie, Sheiggerah, &c.

The regular salmon fishings in Mackay's country are at Bighouse, Naver, Borgy, Hope, Durness, Inshard, and Laxford. The fish of the latter are the best in quality. Besides these, salmon are taken at Strathy, Kinloch, Gishgill in Edderachillis, and some other places. Naver and Borgy

belong to Sutherland; the former of which is by far the most productive in the country, and even in the two northern shires.

Mackay's Forest extends from Ben-lyall to Ben-leod, seemingly not less than thirty miles in length, and, at an average, fifteen in breadth; but making allowance for the unevenness and irregularity of its surface, it must be a good deal more. From Parff to Benhee, the breadth is twenty-four miles at least, and that from Benkinabin to the latter is twenty miles; but in all other places, unless from Whitenhead to Benhee, the forest is not so broad. By Benhee is here meant that chain of mountains commencing near Mowdale, and running west to Ben-leod, which divides between Mackay's and the Sutherland forests. It is said that Mackay's Forest contained about three thousand deer. Herds of from eighty to a hundred have often been seen in one place. Their venison yielded to none in quality, and its soup was most delicious. Mackay had four or five foresters, the principal of whom resided at Auldanrinie, beside Loch-more, and latterly at Strathmore, at the west side of Ben-Hope. Those foresters would distinguish Mackay's deer from all others, and chase them back when they happened to stray to the Sutherland forest. They had the art of driving them in any direction they chose. When a herd of the deer lay down to rest, one or two always stood, by turns, on watch, and gave an alarm when any danger approached. They smelled gun-powder at a great distance, when it was to windward of them. In the month of August, Lord Reay, accompanied by the principal men in the country, his foresters, and a number of followers, and sometimes by noblemen and gentlemen from England, or the south of Scotland, went to hunt the deer, and commonly remained in the forest for two or three weeks. There were houses in different places of it, erected and fitted out for their accommodation, and provisions and liquors in abundance previously laid in. The foresters and followers assembled the deer in large herds to certain hollows in the mountains, to which there was but one entry; and that being guarded, the huntsmen marked out and shot such of them as they chose. The fatigue which those foresters and some of the company

would undergo, and their agility, courage, and skill in passing over tremendous high rocks and precipices, chasing and collecting the deer, are incredible. Calculating their altitude from the level of the sea, several mountains in Scotland are higher than these; but if taken from their own bases, they appear to exceed all others, both in height and in steepness; and they are equalled by none in ruggedness, and particularly on those sides exposed to the north and north-west. Their vast height is evident from the effects of climate on those sides having the most favourable exposure: To about one-fourth upward they are covered with verdant heath; from thence to the middle, the heath is blasted and of a tarnished lead-colour; from thence to three-fourths of their altitude, there is no heath, but a short thick sort of herbage, which the deer only can make use of; and upwards to their summits, there is nothing besides the bare grey rock, with a little moss in the hollows and crannies; and in some of these, where they are not exposed to the sun, snow is seen to lodge at times all the year over, notwithstanding their vicinity to the sea.

In former times, Lord Reay and his family, for most part, lived at home, and no nobleman in the kingdom was more comfortable. He had every necessary of life, and many delicacies, at his command, and all of the best. In the hunting seasons it was usual for nobles and gentry, with their attendants, to visit him; and they uniformly admired the variety and plenty which they found at his table. When such visitants appeared, loads of the best the country could produce, in proportion to the exigency, came from all quarters; and when his Lordship happened at any time to require money, his people's purses were as free to him as the produce of the mountains, glens, and rivers. It was indeed the case, that the Lords of Reay and their people were like fathers and children.

Since the principles of the Reformation made their way to the counties of Ross and Sutherland, the Lords of Reay and their ladies were promoters of the same within their bounds; and in consequence, the parishes of Tongue, Durness, and Edderachillis were always supplied with evangelical clergy. Nor was the parish of Farr any excep-

tion; for the family of Sutherland, to whom the greater part of it belonged, also were encouragers of the Reformation. Even when Arminianism had become fashionable, and overspread the far greater part of Scotland, it found no admission into any of these four parishes, the good effects whereof were apparent throughout that country: for, with few exceptions, family worship was observed in every house; a scoffer, or open contemner of religion, was not known; the churches were attended, when the weather permitted, from the most distant parts; and some had to travel fifteen, some twenty, and some near thirty miles; and when there was no travelling to church, the people met together for private worship, at the most convenient places: profane and loose persons of either sex were detested, and their society shunned, so that few breaches of chastity occurred: Church discipline was impartially administered, and of course much respected and feared; and in no case was it compromised for money. No law-suits were gone into, all differences being settled either by his Lordship, whose ear was always open to every complaint, or by the most respectable of his wadsetters and tenants. Theft was so little practised, that few families had their doors locked in the night-time; and it was common to leave their clothes, when at washing, unwatched during the nights in the open fields: a thief, for the second offence, was generally banished the country. About the year 1770, sheep-farming commenced in the south Highlands of Scotland, and since then gradually advanced towards the north; and as it brought such great increase of rents to the landlords, this, together with the force of example, and the arguments adduced by hosts of writers, and advocates in favour of the system, and against the poor Highlanders, became irresistible temptations to their landlords to dispossess them; the natural consequence of which has been, that such as still remain, cannot be recognized as descendants of the old Highlanders.

In ancient times, Scotland had alternately to contend for property, liberty, and even life, against foreign enemies—Britons, Saxons, Danes, and English; by means of which it became a warlike nation, subsisting by the sword. Property and power were, in those ages, obtained for

services done, and to be done to king and country. It frequently happened, that individuals of the common people had, by some fortuitous acts of valour, acquired grants of property, by which the foundations of great families were laid. The necessities of the times obliged the princes not only to give persons of valour much countenance and encouragement, but also to tolerate many offences with which they were chargeable; and hence it commonly obtained, that those who were most ready and useful in repelling the invasions of foreign enemies, were, during intervals of peace from these, the greatest oppressors of their weak neighbours, who must either bow submissively under their yoke, and thereby augment their power and influence, by enabling them to bring greater forces to the field when their country was in danger, and also to encroach on the rights or properties of powerful chiefs with whom they differed; or to betake themselves to the banner of some other great person for protection, from which similar consequences resulted; or a plurality of the weaker chiefs banded together for their mutual defence and support, which was often followed by one or other of them mounting up, and forcing his confederates to become his vassals. It was likewise necessary for the safety of the crown, to preserve a due balance amongst the heads of families, and to adopt measures to weaken such of them as appeared too powerful: nor could some of those measures be defended on any ground but that of necessity: and when the king himself resorted to such proceedings, the nobles, barons, and others were ready enough, as opportunities offered, to follow, and even to improve on his example. Thus, by war with foreign enemies, and domestic discords and predatory conflicts, the watch was incessant, the sword seldom sheathed, and martial ardour was constantly diffused through all ranks in the kingdom.

Almost all historians assert, that in those times the Highlanders were noted for murder, theft, and plunder; and they often denominated them by the opprobrious title, *The Thieves.* But, it may be asked, were they worse than the Lowlanders, making suitable allowances for their circumstances? Or can no apology be offered for them, or nothing

in extenuation of their conduct be pled, from provocations received, injuries and oppressions sustained, and the impracticability of their obtaining legal redress? Those historians, while they brand the Highlanders with such opprobrious terms, at the same time narrate deeds of murder, theft, rapine, tyranny, and cruelty committed by Lowlanders, exceeding any crimes they attach to them; and satisfy themselves rather by giving in general accusations, than by entering into particular and satisfactory details, which have no doubt arisen from their having had less certain and authentic information as to matters which took place in more distant and remote districts. If the general practices in those ages had been duly investigated, it would be found that among all classes, and in all places, they were much the same, with this difference only, that men in power and office, who lived near the seat of government, could act with greater policy; and they and their friends could readily find many voices to plead in their behalf; or their conduct, from motives of prudence or necessity, was allowed to escape scrutiny, government finding it inconvenient or dangerous to interfere. Those great barons who were farther removed from court, also possessed their peculiar advantages of screening themselves from justice: the cry of such as they oppressed was too distant to be heard, and they themselves were the less regarded, that, owing to their distance, they could seldom assist in opposing foreign enemies; and where they happened to do so, the credit of their valour was not placed to the proper account; for whether they were or were not vassals to the more powerful chiefs whom they accompanied to the field, these claimed all the honour, and were thereby more in condition to oppress them when opportunity served. On these and similar accounts, many of the actions of inferior chieftains, especially in the Highlands, have been misstated, their vices and wrongs magnified, and their virtues and valour concealed or overlooked even by our best historians.

These remarks, as they refer to the kingdom in general, are in a particular manner applicable to the family of Mackay. They lived in the most remote part of Scotland, and in the neighbourhood of such

as possessed the advantages of country, numbers, and friends. Sutherland seems to have claimed right to Mackay's country, merely from its contiguity to his own, and that there appeared to be no natural boundary, or other mark of distinction, betwixt them; whereas such were evident between Mackay's country and Caithness, which, from its appearance betwixt its two extremities of Ulbster and Drimholisten, *Prospect-hill*, at Sandside, is as properly lowland as any part of Scotland; and the places anciently belonging to the Macleods are divided from Mackay's country by distinctive sea-inlets and mountains.

It can scarcely admit of any doubt, that Sutherland and Mackay's country were the last inhabited parts of Scotland; and it is probable that some places in the latter were possessed by a few of those who first emigrated to the former. Edderachillis seems to have been originally peopled by the ancestors of the Macleods, who possessed it until it fell to the Mackays. From the best sources of information, there is reason to think, that after the far greater part of Scotland was peopled, those districts were only the resort of wild beasts, which took refuge there after they were hunted from other places. There were wolves in Mackay's country till within little more than two hundred years ago, when it was much covered with trees of birch, mountain-ash, oak, hazel, and some others. Formerly it contained forests of lofty firs, the roots of which are still visible in many places, now changed into mosses; and in some parts these roots are in great numbers, and close to each other, having charcoal on their surface: a proof that the trees had been destroyed by fire. Large firs, from forty to sixty feet in length, have in the present age been dug out of the mosses, lying from three to four, and in some places two feet only below the surface, as sound as when they fell. These trees seem to have been cut down after escaping the fire, which their root-end indicates. The inhabitants converted them to various uses, and among others they made candles of them, after splitting them as thin as pasteboard, and about an inch in breadth. There is a tradition in the country, that the Danes burnt and cut down those woods in Caithness, Sutherland, and Mackay's country,

in order, perhaps, to prevent danger from wild beasts when engaged in hunting, and to enable them to destroy them with greater facility.

Some historians narrate, that in the reign of Domitian, about the year 91 of the Christian era, Galcacus being then King of Scotland, a great company of Germans, named Catti, who were forced to fly from their own country, came to Scotland, and planted themselves in Sutherland, which was then uninhabited; and that those people were afterwards called Murrays, having been of the same race with other Germans who had previously come to Scotland, termed Moravians, and had taken possession of the country of Murray. They dwelt at first on the east side or coast of Sutherland, and, it is said, had much difficulty in maintaining their possession, from the multitude of wild beasts, and particularly cats, by which the country was infested, until, with much hazard to themselves, they got the greater part of them destroyed.

There is ground to believe that the ancestors of the Earls of Sutherland were of those Murrays. The names of Sutherland and Caithness are of more recent date. The original name of the former, and which it goes under in Gaelic to this day, is *Cat-tu*, which signifies *Catti-side*; and that of Caithness, is *Gald-tu* or *Lowland-side*. The meaning of *Sutherland* is, *the land south of Caithness*; and that of Caithness, *the head land of Catti*, divided by the Ord-hills, or Paps of Caithness. These names, *Catti-side* applied to Sutherland, and *Lowland-side* or *Lowland-side of Catti*, applied to Caithness, seem to imply, that of old there was a distinction betwixt both and Mackay's country, to which the term *side* never was appended; and they also would seem to infer, that both Sutherland and Caithness were originally one country, under one and the same chief. The Danish historians write, that the Earls of Orkney, while they held Caithness, also possessed Sutherland; and consequently the ancestors of the present family of Sutherland could have but little footing there, till after the Danish Earls of Orkney were expelled from Caithness. Doctor Barry, who derives his information chiefly from Torfœus, says, that about the year 1231, "Alexander king of Scotland took from Magnus the second, Earl of Orkney, the county of Sutherland,

which had been considered before as constituting a part of the earldom."* The same author justly observes, that Torfœus and other Norwegian historians are better guides as to ancient transactions in these northern parts, than any Scots or English writers, as they had an opportunity of more authentic information.

Sir Robert Gordon of Gordonstoun wrote a genealogical history of the earldom of Sutherland, which he brought down to the year 1630. It was not published till the year 1813; but as several manuscript copies of it had been long since taken, a great many of the transactions and matters which he had related, had gone abroad, and obtained a wide circulation, from one generation to another, while but very few had an opportunity of seeing, and still fewer of examining the work itself. In his epistle dedicatory, he writes, "What I have found scattered and dispersed elsewhere in histories and records, I have placed in such order as I could best, and have related the same without passion, tending either to prejudice or partiality." But the publisher of the work candidly admits, that Sir Robert was "warm in his friendships and enmities; a disposition evinced by his partiality to those of his own family, and in the hostile feelings which he expresses concerning others, many of whom were probably equally entitled to complain of aggression on the part of those whom he defends." His book is at the same time useful in various respects, principally in bringing many persons and things into view, that had otherwise been hid or forgot; correcting many statements given by other historians, concerning matters, the circumstances relating to which, he had better opportunities and means of knowing; and furnishing a key to discover the truth, as to a variety of matters, which he himself has incorrectly or partially described.†

The first Earl of Sutherland mentioned by Sir Robert, is called Walter, son of Alexander Sutherland, Thane of Sutherland.‡ But he does

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* Barry's History of Orkney, p. 183.

† A small book has been long in print, under the title of "The Feuds and Conflicts of the Clans," which merely consists of extracts from Sir Robert's MS.

‡ Sir Robert, p. 23.

not produce any authority, only that king Malcolm Conmore introduced new dignities, such as earls, lords, barons, and knights. Buchanan writes, that Malcolm's predecessor, Macbeth, put to death the thanes of Caithness, Ross, Sutherland, and Nairn; but it is most probable that all these were Danes; for that people commanded these northern parts then, and for some generations after. It seems to be better entitled to credit, that William, whom Sir Robert denominates the Fifth, was the first Earl of Sutherland of the line which he describes. The date of the earldom in the Scots peerage is 1275, which, it is likely, lay in the crown until then from the year 1231, when it was taken from Magnus as above. It would seem that Alexander the third king of Scotland, conferred the dignity on William, in consequence of the defeat given by his father, William of Sutherland, to the Danes betwixt Dornoch and the Little Ferry, in which it is not improbable he was assisted by his cotemporary and neighbour Morgan Mackay, who was no less concerned to rid the country of that troublesome and oppressive enemy. In the inventory of writs annexed to Sir Robert's history, the fifth article is, "Agreement between William Earl of Sutherland, and Archibald bishop of Caithness, concerning the property of certain lands therein mentioned, dated at the cathedral church of Caithness, the 10th calends of October 1275." In the first article, he whom Sir Robert calls the third earl, is described by his bare name, Hugh Freskin; and in the second article of the inventory, his son is termed "Willielmus Dominus de Sutherlandia," a title given to barons, and even to lairds in Scotland.* From all the information that

* "Freskin a Fleming, obtained from David I. the lands of Strabroch in West Lothian. Soon after the insurrection of the Murray-men in 1130, Freskin, who contributed, by his skill and bravery, to the subduement of those ancient people, acquired from the same prince some of the most fertile districts in the lowlands of Murray. Freskin left two sons, William and Hugh, and the former certainly inherited his lands, both in Murray and West Lothian, which were confirmed to him by William the Lion. William died towards the end of the 12th century, leaving two sons, Hugh and William, who, in some charters, are surnamed Freskin, while in others they are designed De Moravia, or Moray, which became the surname of their posterity. Hugh the eldest son, inherited his father's

can be gathered concerning the families of Sutherland and Mackay, it would appear that their power commenced upon the expulsion of the Danes, and gradually advanced together thenceforward; only that at different intervals, from fortuitous circumstances, each had the advantage in their turn.

For several centuries past the Forbeses and Mackays were agreed that they had sprung from the same stock, and the writers on heraldry and peerage have been of the same opinion. Nisbet says, "These of the surname of Mackay carry bear-heads of the same tincture and field with the Forbeses, upon the account they derive their descent from one Alexander, a younger son of Ochonacher, the progenitor also of the Forbeses, who came from Ireland to Scotland about the end of the twelfth century."* And with regard to the latter, he writes, "These of the name of Forbes are said, by our historians, to be originally from one Ochonacher, who came from Ireland, and, for killing a wild bear, took the name For-bear, now pronounced Forbes." It may, however, admit of a doubt that such is the derivation of the name, seeing the Gaelic language was universal in Scotland at that period. In that dialect, it is pronounced Fer-bash, and *a Forbes* is called Fer-basach, i. e. *a*

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lands in Moray. At the end of the 12th century, Hugh acquired from King William the territory of Sutherland, which had been forfeited by the Earl of Caithness, in the rebellion of 1197, which Hugh Freskin had assisted to suppress. Hugh Freskin died soon after 1203, leaving two sons,—William, who inherited from him the newly-acquired estate of Sutherland,—and Walter, who enjoyed Duffus, with other possessions in Murray. This William was created Earl of Sutherland by Alexander II. and is supposed to have died about the year 1248, when he was succeeded by his infant son William, the second Earl of Sutherland. He attended the Parliament at Scone in 1284, which engaged to support the title of the Princess Margaret. He swore fealty to Edward I. in 1296. At the age of 67, he fought in support of Bruce at Bannockburn in 1314. He outlived these disastrous times, and subscribed the spirited letter to the Pope in 1320; he died in 1325, when he had nearly advanced to the age of 80 years."—CHALMERS' CALEDONIA.

The oldest charter of the earldom of Sutherland now known to exist, is the following: "Charter by King David the II. to William Earl of Sutherland, and Margaret the King's sister, the earldom of Sutherland in an regaltie,"—ROBERTSON'S INDEX OF CHARTERS. But Chalmers says, it was to William, who died in 1325, "that the house of peers adjudged the present Countess of Sutherland to be the successor, *as heir of his body.*'

* Heraldry, vol. i. p. 329.

bold man. The name of Ochonacher's son, ancestor of the Forbeses, seems to have been John,* and the pedigree of the Mackays falls to be deduced from Alexander.

CHAPTER II.

ALEXANDER;—WALTER HIS SON;—MARTIN;—MAGNUS;—MONGAN;—DONALD I.—JYE I.—ANGUS; AND RELATIVE AFFAIRS DURING THEIR LIVES.

Alexander, 1180—1222.

In writing of matters which took place in such remote periods of time, when learning was so rare that few of the nobles or gentry could even sign their names, it is impossible to describe them with accuracy: Sources of information concerning them are few; nor can these be altogether relied on, being for the most part confined to tradition. These remarks apply still more particularly to such transactions as took place in the most secluded parts of the kingdom, of which but little is found in the histories, and that little is involved in uncertainty, as the best historians could only narrate what they had read or heard, and what appeared to them to be most authentic. These also lay under the disadvantage of having the channels of their information mudded by interest, prejudice, or partiality, in their predecessors, or those who first described the original actors and their measures. The more ample source of information is tradition, but to which similar objections apply; and the same persons and actions are found to be described in different places differently. These are at the same time less to be wondered at, when it is considered, that men of learning and genius, even of the last

* "John de Forbes possessed the lands of Forbes in the reign of king William the Lyon."—*Douglas' Peerage.*

two or three centuries, have differed so widely in narrating transactions which took place in their own time, and each of whom have their warm advocates down to the present period; so much so, indeed, that it is no easy task to ascertain the truth amongst such contradictory statements. But this much may in general be granted, even with regard to matters of more ancient date, namely, that such persons, and such events or transactions did exist; and as to the manner in which they are spoken of, the reader is left at liberty to give credit to what he shall judge to be most authentic or probable. Sir Robert, referring to a quotation from Sir Walter Raleigh, observes, "In ancient things we are not to require an exact narration of the truth: I will," says he, "only set down such things as I find in old records, charters, manuscripts, registers, histories, and monuments, grounded upon evident probabilities, and such things as are yet recent in our memories that live in this age."* It were much to be wished, however, that he had been more careful to redeem this pledge than he has been.

Alexander Pope, minister of Reay, who has been much spoken of as an antiquarian and chronologist, having been applied to by Pennant the tourist, for some notices regarding these northern parts, amongst others, sent him the following: "Lord Reay's family derived their original from Ireland, in the 12th century, when King William the Lion reigned. The occasion of their settling in the north, is mentioned by Torfœus, as captains of a number of warriors, to drive the Norwegians out of Caithness." He adds, "The ancestors of Lord Reay's family drove the Danes from these parts."† He does not, however, mention in which of Torfœus' works he had found the above. That writer (Torfœus) states, that the King of Scotland, (William the Lion) with a strong army from the Hebrides and the west of Scotland, from Kintire northward, including a considerable body from Ireland, defeated Har-

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* Page 21.

† Pennant's Tour.—Nisbet says, that a Manuscript of the family of Mackay existed in his time.

old, Earl of Orkney and Caithness, subdued all Caithness, and severely punished the inhabitants for the cruelty exercised upon Bishop John.*

This battle is said to have been fought at the hill of Clardon, near Thurso. Sir John Sinclair of Ulbster, several years ago, built on this hill an octagon tower, which, in memory of that event, has been termed "*Harold's Tower*." Some affirm that this Harold, upon his submission, was pardoned by the king for all the outrages he had committed, and reinstated in his possession of Caithness, as formerly enjoyed, but under very severe conditions; in security for his performance of which, he gave his son Torphin to the king as an hostage; and that as these were not performed, the eyes of the young man were put out.† This, however, is not so probable, but seems rather to apply to Harold's successor, Earl John, by whose order or connivance the people burnt bishop Adam, in his castle at Brawl Halkirk, six miles from Thurso, and who had afterwards been pardoned by King Alexander II.‡ The bishops of Caithness then resided by turns at their castles of Scrabster and Halkirk, and sometimes at Dornoch. Adam was succeeded by Gilbert, formerly archdeacon of Murray, who died at Scrabster, at an advanced age, in 1245. Part of the ruins of the castle of Scrabster is still to be seen, which, from its situation, and the extent of ground it occupied, appears to have been a strong and capacious structure, although somewhat rude as to its architecture. It stands on a rock close to the sea, half a mile west from Thurso, and had a draw-bridge on the land-side. A terrace was formed in the sea-bank, to nearly half a mile from the castle westward, part of which still remains, and is called "*The Bishop's Walk*." Bishop Andrew of Caithness, the first of whom there is any account in Spottiswood's Catalogue of Bishops, was immediate predecessor to John; he was in great favour with King William, and was one of the five Scottish bishops who accompanied him to the convention at Norham,

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* Torfœus' History of Orkney, p. 146. † Barry's History of Orkney, p. 176.
‡ Sir R. Gordon's History, p. 30, 31.

and, in defence of the liberties of the kingdom, both civil and ecclesiastic, resisted the arrogant and designing claim of the Archbishop of York, supported by the Pope's legate, to be acknowledged metropolitan of Scotland. The Scottish bishops received considerable assistance from Gilbert above mentioned, then archdeacon. Sir Robert mentions a Bishop Bar of Caithness, who lived in 1079, and built a church at Dornoch, and that he was succeeded by Bishop William, who flourished in 1097. But whether he or Spottiswood had best access to know as to these matters, is a question. It may, however, be added, that this William probably was the same person mentioned by Torfœus, as bishop of Orkney, and residing in the island of Eglishay, in the eleventh century.

While the Earls of Orkney possessed the northern parts of Scotland, they occasionally resided at the castle of Thurso, afterwards called the castle of Ormly, built on a rising ground, termed *the Brown Hill*, about 300 yards from the old town; but their principal residence was at Kirkwall. Scrabster roads was the only safe anchorage on the coast of Caithness, which occasioned Thurso to become a place of much resort, at a very early period. Torfœus mentions, that in the beginning of the eleventh century, Count Moddan quartered his army at Thurso, "*the town of Caithness*," and that they were plentifully supplied by spoil from the neighbourhood, until subdued by Thorkel.* He adds, that Moddan had his camp on the promontory of Thurso, "*promontorio Thorsnesia*," (i. e. Holburnhead,) where parts of a wall fortifying the camp alongst a hollow extending to the whole breadth of the head or promontory, are still to be seen. Barry writes, p. 154, that "Harold's mother, Hegla, was a daughter of Moddan, a man of great wealth and influence in Caithness, whose son was Count Ottar of Thurso." And p. 168, he says, that Erlend, to whom the grant of half of Caithness, with the title and dignity of an earl, had been conferred by Malcolm King of Scotland, lived for the most part at Thurso.

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* Torfœus' History of Orkney, p. 53.

It is said that Thurso derived its name from Horsa, a Saxon general who had landed at the water-mouth of that town, in the fifth century. Its Gaelic name is *Inver-Horsa*, the mouth of a river or stream being termed *Inver* in that language: so that there are but few towns in Scotland of greater antiquity. The foundation of the castle of Thurso was dug up a few years ago, and its well, about twenty feet deep, and strongly built, circular from the bottom, cleared out. The remains of the ruins were deeply covered with sod, amongst which, a considerable number of hewn stones were found, the rest having been carried away several ages before.

There are grounds to believe that Alexander commanded the Irish company who assisted King William in subduing Harold, and that he subsequently aided in repelling the invasions of the Danes, and driving them out of the north of Scotland: nor is there any cause to doubt that the king granted him lands adequate to his services; and as these were for the greater part required in Caithness, it is reasonable to suppose that he had obtained lands there, besides his acquirements in the Reay country.

It was of great importance to Scotland to have the Danes or Norwegians extirpated from the north: they were in those times very powerful both by land and by sea; they had formerly subdued, and for a long time ruled and distressed England, and often invaded, and fought many severe and bloody battles in many parts of Scotland, and they were still in possession of the Hebrides, and of Orkney and Zetland; they had also claimed right to Caithness and Sutherland, and had planted themselves in Ross, Murray, Buchan, and the interjacent counties.

Some accounts bear, that this Alexander was succeeded by his son Walter, and others, by his son Martin; but as the former seems to have received most countenance it will be admitted. It is mentioned in a manuscript in the possession of George Mackay, Esq. Stewart-Hall in Bute, that Alexander came with two of his brethren out of Ireland to Scotland, in the reign of William the Lyon, and resided in Caithness where his son Walter married a daughter of Adam, bishop of that

diocese, and went thence with his followers to Strathnaver, then possessed by Norwegians, whom he drove out of those bounds, and possessed the lands they had held there.

Some centuries before this period, an unnatural law had obtained, prohibiting the clergy from marriage, in order the more to secure their attachment to the Pope, which otherwise would be divided among their wives and children, and other objects: but nature and reason prevailed to such a degree against that law, that it was considered honourable in bishops to have suitable companions, and such they frequently had from among the higher ranks; and even the Pope, by his pretended dispensing power, often sold the privilege of possessing such companions, which rendered the usage legal; nor was it uncommon for the sons of the nobles and gentry to marry the daughters of bishops: so that nature, reason, and practice combined to invalidate the unjust prohibition, and to prevent the crimes which obtained where the only proper antidote was not applied.

The manuscript above referred to, farther states, that of the other brethren of Alexander are descended the Forbeses and Urquharts; and that it appears from the Chronicle of Melross, that Patrick, son of Walter, son of Alexander who was superior of Melross, was made abbot there upon the sixth of June 1206, who, being made bishop of Caithness in the year 1214, continued in that office till 1219, when he was slain in the episcopal manor of Halkirk.*

There is no account of the ancestors of any family in these northern parts, excepting these of the Mackays, having been engaged in expelling the Danes from Caithness: from which it may be supposed, not only that Alexander, as already mentioned; but also his son Martin and

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* The following is inserted in the Chronicle of Melross—*Advocates' Library.* "MCCVI. obijt Willielmus IX. Abbas de Melross evi succesſet Dom. Petrŭs superior ejusdem loci," i. e. 1206, *died William the ninth Abbot of Melross, and was succeeded by Mr Patrick, superior of that place.*

"Anno MCCXIIII. consecratus est Adam abbas Melrossensis in Episcop: de Cathanesia." i. e. *In the year* 1214 *Adam Abbot of Melross was consecrated bishop of Caithness.*

their descendants had lands there, and this seems to be countenanced by the opinion, that these descendants, of very ancient dates, multiplied in Caithness, under the names, not only of Mackay, but of Farquhar, Morgan, Bain or Bayne, Mackomas, Shil-Thomas and others. And no other family have maintained their ground, or spread in these northern countries as the Mackays have done. The original Sutherlands disappeared in the Gordons, as these did in the Setons; and the district of Sutherland at no period contained many persons of the name of Sutherland; nor in Caithness have there been many of the name of Sinclair: whereas there is a continued descent of the Mackays in the male line, from their first appearance in the north, in the twelfth century, down to the present time; and they multiplied greatly in Sutherland under various names besides that of Mackay, such as, Shil-Phaul or M'Phail, Polson, Bain, Shil-Thomas, Shil-Niel or Nielson, Slight-Angus Mackay, &c. It is said that in the last Sutherland Fencibles there were thirty-three John Mackays in one of the companies. Alexander was succeeded by his son,

Walter, 1222—1263.

In his time, in the year 1222, according to Torfœus, Adam, bishop of Caithness, was in a most barbarous and cruel manner put to death by some of the inhabitants. Dr Barry gives a detail of this matter; but as Buchanan's account of the tragedy is most concise, it will be given. "About this time the Cathnesians entered by night into the bed-chamber of Adam their bishop, and there killed a monk who was his usual companion, (for he had been before abbot of Melrose,) and one of his bed-chamber; as for the bishop himself, they grievously wounded him, and dragged him into his kitchen, there they burnt him, and the house he was in. The cause of their great cruelty was, as it is reported, because the bishop was more severe than usual in exacting his tithes. The offenders were sought out diligently, and most severely punished. The Earl of Caithness, though he was not present at the fact, yet was

somewhat suspected; but afterwards being brought privately to the king on the Christmas holydays, which are the Scots saturnalia, he humbly begged his pardon and obtained it." Torfœus writes, that King Alexander II. pursued and exemplarily punished the "*flagitious perpetrators.*" The report in Caithness to the present time, is, that the people, having repeatedly complained to the earl of the bishop's severity and oppression, he at length said to them, that they might boil him if they pleased; upon which they went to his Castle of Scrabster, seized and dragged him to his kitchen, and threw him into his own brewing kettle. John was Earl of Orkney, Caithness, and Sutherland at the time. Dr Barry, p. 181-2, taking his information from Torfœus, p. 161-2, mentions a quarrel which took place between Earl John and Hanef, King Haco's collector, aided by Snackoll, a descendant of St Ronald, Earl of Orkney. "As soon as autumn arrived," says he, "both parties with their friends, went over to Caithness; and having procured lodgings in the different inns in the town of Thurso, notice was brought to Hanef and his companions to be on their guard, because Earl John had determined that very night to put a period to their existence. Alarmed with this intelligence, they flew to arms, and assaulted the house in which the earl then was, with fire and sword; and while the unhappy victim fled into a cellar, to conceal himself among the casks, he was dragged forth and murdered."

Earl John was succeeded by Magnus the II.; "From whom," says Dr Barry, "Alexander King of Scotland took the county of Sutherland, which had been considered as constituting a part of the earldom."* "Earl Magnus," says Torfœus, "died in the year 1239." He seems to have made it his study to preserve the peace of the country.

Some are of opinion that the Mackays assisted in quelling the rebellion raised by Somerled about the year 1245. Walter was succeeded by his son,

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* This the Doctor appears to have found in the diploma in Wallace's Orkneys. *History of Orkney*, p. 422.

Martin, 1263—1290.

"In the year of Christ, 1263," says Buchanan, "on the first of August, Acho (Haco) King of Norway, with a fleet of 160 sail, came to Ayr, a maritime town of Coil, where he landed 20,000 men." "This fleet," says Dr Barry, "arrived first at Zetland, and then at Orkney and anchored in the harbour of Elwick in Shapinshay, near Kirkwall. From thence they sailed for south Ronaldshay, from which he sent to Caithness to demand tribute, threatening to desolate their country with fire and sword if they refused; but as his demand was granted he gave them no farther trouble. He then proceeded to the western isles, from some of which he received succours, and he carried all before him until he reached Kentire, Arran, and the Cumbraes." This author differs from Buchanan with regard to the sequel. The latter says that Haco pretended a right to the places last mentioned, although they were never reckoned amongst the Hebrides. At Largs he met with two misfortunes almost at one and the same time; one of which was, that he was overcome in battle by Alexander Stuart, the great-grandfather of the first king of Scotland of that name, in which 16,000 of the Norwegians were slain, and 5,000 Scots. The other was, that his ships were so tossed with a mighty tempest, that he hardly escaped with a few of his followers into Orkney. He died at Kirkwall, of grief and sorrow for the loss of his men and ships, and his remains were deposited during the winter in the cathedral of St. Magnus.

There seems to be some probability that Martin assisted his countrymen at this battle. What degree of support that may have from the following, cannot be precisely determined. An ancient manuscript was within these few years discovered in the Advocates' Library, written by Andrew Symson, which has been published, edited by Thomas Maitland younger of Dundruman, advocate, and mentions the family of Mackie or M'Kie, in Galloway, as far back as King Robert Bruce. It states that "King Robert, being by a part of the English

army defeated in Carrick, fled into the head of Loch-Dee to a few of his broken party, and lodging in a widow's house in Craigenallie, in the morning she, observing some of his family ornaments, suspected him to be a person of eminence, and modestly asked him if he was her liege Lord? He told her, Yes; and was come to pay her a visit, and asked her if she had any sons to serve him in his distress? Her answer was, that she had three sons to her several husbands, and that if she was confirmed in the truth of his being their sovereign, they should be at his service. He asked her farther, if she could give him any thing to eat? Her answer was, there was very little in the house, but some meal and goats' milk, which should be prepared for him, and while it was making ready, her three sons did appear, all lusty men. The king asked them if they would cheerfully engage in his service, which they readily assented to; and when the king had done eating, he asked them what weapons they had, and if they could use them? They told him they were used to none but the bow and arrow. He asked them if they could make use of their bows and arrows? M'Kie, the eldest son, let fly an arrow at two ravens perching upon the pinnacle of a rock above the house, and shot them through both their heads. Murdoch, the second son, let fly at one upon the wing, and shot him through the body; but M'Liery, the third son, had not so good success." The statement then goes on to say, "that these three young men continued with the king, and distinguished themselves in all the warfare which he carried on against England, and also at the Battle of Bannockburn, which destroyed the last hopes of England against the independence of Scotland." The narrative proceeds, "Then the three brothers being asked by the king, what reward they expected? answered very modestly, that they never had a prospect of great things; but if his majesty would bestow on them the thirty-pound land of Hassock of Cumloddan, they would be very thankful: to which the king cheerfully assented, and they kept it long in possession." The Cumloddan family continued to flourish within the stewartry of Kirkudbright till beyond the middle of the eighteenth century. The Mackies of Palgowan, of Glencaird, of Drumbuie,

and of Lairg, were all directly descended. The latter, known by the name of the Laird of Lairg, represented that stewarty for several parliaments. The family of M'Ghie of Balmaghie, are thought to be of Irish descent; and this opinion seems in some measure confirmed, by that family using the arms of Mackay, Lord Reay; whereas the Mackies before mentioned have, since the days of Bruce, for their arms two ravens proper upon a chief argent, with an arrow through both their heads—*Gules, the field Gules.* These Mackays must have been for many centuries planted in Galloway, from the circumstance, that a parish there is called Balmaghie, i. e. *Mackay-town.** More concerning some of these Mackays will occur afterwards.

Sir Robert Gordon writes, That the ancestor of the Mackays of Galloway was named Martin, and that he was son of the second Donald after mentioned.† But his being the son of that Donald, is inconsistent with the statement, that the Mackays were in Galloway prior to king Robert's reign. It would seem more probable, that this Martin was father of Mackay who accompanied Bruce; and which appears to receive some support from the fact, that this chief, with his followers, carried arms in the southern parts of Scotland, for he was slain at Lochalsh in Lochaber.‡ He was succeeded by his son,

Magnus, 1290—1315.

The circumstance of this chief having got the name Magnus, can only

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* Chalmers says, that "Michael Macgé, a landholder in Galloway, submitted to Edward III. in 1339.—*Rotul Scotiæ*, 571. William Macgé of Balmagé, appears in a cause before the auditors of parliament in 1478.—*Acta Dom. Auditor*, 65. He obtained from James III. a charter of his lands, on the 14th of August 1484.—*Regist. Mag. Sig.* b. xi. 73. The Macgies of Balmacgie acquired charters from James IV. in 1513, James V. in 1527.—*Ibid* b. xix. 18.; b. xxi. 82. This family continued in possession of their ancient estate till 1786."—*Vol.* iii. p. 323. He writes in another place, that the Gaelic language continued to be spoken in Galloway till the time of Queen Mary. There are a great many royal charters to the Mackays of that province on record, one of which is by James III. to Patrick Mackie of Cumloddan, of three parts of the lands of Drummargane, dated 25th January 1474.

† Sir Robert, p. 303. ‡ Ibid. p. 302.

be accounted for by some alliance having been contracted betwixt his father and the Earl of Orkney.

The greatest troubles that ever came upon Scotland happened in his time, occasioned by the competition of Baliol and Bruce for the crown. Baliol, doubtless, had the prior claim, from his father's marriage with the eldest daughter of Allan of Galloway, whose wife was eldest daughter of David Earl of Huntingdon, brother to King William of Scotland, whose line, together with that of each of the Alexanders, was extinct; whereas King Robert's father, the other claimant, was of the marriage of his father with David's second daughter; but with this difference, that Scotland was more jealous of Baliol, because his grandfather, from whom his claim descended, had been a feudatory, and sworn allegiance to the king of England; and Bruce claimed as a male-heir in right of his father, while that of Baliol was from his mother. Each was powerful, and had potent friends and allies. "The controversy," says Buchanan, "could not be decided at home; nay, if it should have been equitably determined, yet there was not a sufficient party in Scotland to compel both sides to stand to the award; and therefore, Edward of England was almost unanimously chosen to be the decider of this important point; neither was there any doubt made of his fidelity, as being the son of such a man as the late king of Scotland had experienced his father to be—both a loving father-in-law to him, and a just guardian too; and the English king had received a late and memorable testimony of the Scots' good-will towards him, in that they so readily consented to the marriage of his son with their queen." Edward, however, in violation of all good faith, justice, and honesty, resolved to turn all to his own account, by destroying the ancient freedom and liberties of Scotland, and bringing it under subjection to England, which, first by jesuitical craft, and afterwards by tyranny and cruelty, he almost accomplished, until the immortal Wallace, "like another Sampson," checked his progress, and vindicated the rights of his country.

The Mackays united with their brave countrymen, in support of their independence; and there is reason to think they were led by Magnus

as their chief. It is said, that a charter is still extant, of certain lands granted by King Robert to Mackay; and there is in the Register-Office, a charter of lands in Kintyre, granted by that prince to one of the Mackay family. The latter is to Gilchrist-Mackay-More Mackay, for homage and service, of the pennyland of Arydermede, the pennyland of Baloscalis; the pennyland of Killiwillen, and the pennyland of Skelamonsky in Kintyre, dated at Monyreth in Galloway, the 31st day of March, and of the king's reign, the fourteenth year?* Barbour states, that the Highlanders accompanied Bruce at Bannockburn, but he names none of the chiefs or clans to the north of Ross; there are, however, other accounts, which bear that eighteen highland chiefs, fought under that king at that decisive battle,—Stewart, Macdonald, Mackay, Mackintosh, Macpherson, &c.† Martin was succeeded by his son,

Morgan, 1315—1325.

Sir Robert, without any authority, affirms that from this Morgan the clan Mackay were generally termed *Clan-Wic-Morgan.* There are indeed to this day, persons of the surname Morgan and Morganach, who are understood to be of the Mackays; but that the whole clan at any period went under that designation, is incorrect; and those of them who did so, were always few, and but of small account. The name seems to be of Welsh origin; but how it obtained among the Mackays, it is impossible now to say. Morgan was succeeded by his son,

Donald I. 1325—1340.

His accession to his father's property, may have been about the year 1325. Sir Robert says, he married the daughter of Iye of Gigha, the son of Niel,‡ by whom, he adds, he had a son called Iye, after his grand-

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* Haddington's Collection of Ancient Charters.—*Robertson's Index.*

† General Stewart's Sketches of the Highlanders. ‡ P. 303.

father. Gigha is an island in the district of Kintyre, which Pennant describes to be about six miles long and one broad; and as in ancient times there were thanes of Gigha, this Iye might have been one of them. It seems to imply that Donald had relations in Kintyre, when he went such a distance for a wife, and corroborates the above statement, that some of the Mackays had previously been settled there. Indeed, the Mackays continued to be persons of eminence in Kintyre until the last century, and their descendants, under other names, are so still. Upon the 20th August 1662, Daniel Mackay was served heir-in-special of Iver Mackay of Arnagie, his father, in the office of coroner, in all and whole of North Kintyre, four merks of land of Arnagie, and Ugadel in Mid Kintyre, with the pertinents of his office, in the earldom of Tarbet.* The property of Ugadel now belongs to George MacNeal, Esq. having come to his family by marriage with the heiress, descendant of this Daniel Mackay. In the general register, there are many charters recorded, in favour of the Macneils of Gigha, and the last of them not of an old date; and the present proprietor of Gigha is John Macniel, Esq. There were twelve lairds of the Mackays in Kintyre at one period.

In Donald's time, Magnus the Fifth was Earl of Orkney and Caithness: he was one of those nobility who, with the barons and others of Scotland, sent the famous letter to the Pope in the year 1320, justifying themselves for having asserted the independency of their country, and freed it from the unjust and oppressive yoke of England. In that letter, he is styled "*Magnus Comes Cattynensis et Orcadensis.*" He was the last Earl of Orkney of the Danish line, having left only one daughter, who was married to Malis, Earl of Stratherne, and had to him a son named Malis who also was Earl of Stratherne. This last Malis was twice married, first to a daughter of the Earl of Monteith, by whom he had a daughter named Matilda, married to Weyland de Aird, and afterwards to a daughter of Hugh Earl of Ross, by whom he had four daughters, the eldest of whom was married to Lord William Sinclair,

* Special Retours, 71. *Argyleshire.*

Baron of Roslin. Weyland de Aird had by Matilda a son, named Alexander, who inherited the earldom of Caithness in his mother's right, and a proportion of Orkney: but he alienated the earldom of Caithness, and his possessions there, to Robert the Second, King of Scotland, and died without leaving any heir of his body to succeed him. Haco, King of Norway, afterwards granted the earldom of Orkney, to Henry Sinclair, son of William, by the Earl of Ross's daughter, who married first a daughter of the King of Denmark, by whom he had no issue, and secondly, Jane, daughter of Walter Haliburton, Lord Dirleton, by whom he had Henry Sinclair, Earl of Orkney, who married Egidia, daughter of the famous William Douglas, Earl of Nithsdale, called "The Black Douglas," by Egidia Stuart his wife, daughter of King Robert the Second, by whom he had William Sinclair, Earl of Orkney.* But more of this family afterwards.

About the year 1340, Caithness was commanded by Ronald Cheyne, who was possessed of a great part of the county. He was called Cheyne, it is said, from the Gaelic term *Shiene*, which signifies *venison*, as he and some of his predecessors were much employed in hunting. It is reported that when his lady was pregnant of her first child, he was most anxious that it should be a son; but finding to his great vexation that it was a daughter, he gave imperious orders to drown it, and saw it delivered to a dependant for that purpose. The lady, however, managed matters so that the child was conveyed to a nurse at a distance. The second child, was also a daughter, and disposed of in a similar manner. The lady had no more children. She provided means to have her two daughters reared and accomplished in the best manner which that age admitted of; and when they grew up, they were much admired for their beauty and other qualities. Ronald having on some particular occasion, invited a numerous circle of his friends and their families to a great entertainment, his lady procured the attendance of her daughters, but without letting him know who they were. They soon eclipsed all the other

* Barry's Orkney, p. 411—13.

females present; and Ronald felt so interested in them, that he became quite impatient to know to whom they belonged. After being for some time allowed to remain in suspense, he exclaimed, "How happy must he be who can call them his own!" Their mother having told him they were his daughters, he was overjoyed, rose up and embraced them, and then introduced them to the company as his children. This prolonged the entertainment, and gave it a double relish. It is farther said of Ronald, that he often resided at the castle of Dirlet, in Caithness, which stood on a rock close to a deep and large pool in the river of Thurso, where he erected a crieve, and a bell so constructed that it rung when a salmon entered the crieve-chest. Part of the ruins of the castle is still to be seen.

Sir Robert narrates, that one of Ronald's daughters married Nicolas, brother of the Earl of Sutherland, who obtained with her "the Cheyne's third of the lands of Caithness, and the third of the lands of Duffus in Murray, whereby he became laird of Duffus; but the third of Caithness was given by an accord and agreement with a daughter, from the Sutherlands to Oliphant, who, many years afterwards, sold these lands to the Sinclairs."* It appears from Balfour's account, that in Ronald Cheyne's

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* Sir Robert, p. 54. Nisbet, in his heraldry, informs us, that "Reginald Cheyne the father, and Reginald the son, were both present in 1284, among the *magnates Scotiæ* who engaged to accept the princess Margaret for their queen, *Rym. Fœd.* ii. 266. Sir Reginald Cheyne the son was Sheriff of Invernairn in 1292, *Ayloffe's Calendar,* 337. With other persons of the same name and family, Sir Reginald swore fealty to Edward I. in 1296, when all men in Scotland submitted, except Sir William Wallace. 3. *Prynne,* 651. When Edward settled the government of Scotland in 1305, Sir Reginald Cheyne was appointed one of the justiciaries in the north parts beyond the mountains, *Ryley's Placita,* 504; he died before the 6th November 1313. Some time before the year 1268, he married Mary Moray, the eldest daughter and co-heiress of Freskyn de Moray, who died before that year. As eldest daughter, the wife of Reginald enjoyed the manor place and castle of Duffus, with other lands in Moray, in Caithness, and in West Lothian. He left a son, Reginald, who inherited the extensive estates of his father. He was one of the Scottish barons who wrote the spirited letter to the Pope in 1320. He was taken prisoner at the battle of Halydonhill in 1333, *Knyghton;* and he died about the year 1350, leaving by his wife, Mary, two daughters who inherited his estates: Mariot married

time the earldom of Caithness was vested in the crown. He asserts that Malis, Earl of Stratherne, Orkney, and Caithness, was forfeited in the year 1344, for disponing the earldom of Stratherne to Warren, the Scottish king's enemy; and that the earldom of Caithness was then annexed to the crown, where it remained till 1409, when king Robert III. granted it to his brother, Walter Earl of Athole. Prior to Ronald Cheyne's time, who was also justiciary of Caithness, that county appears to have belonged to the Ogilvies.*

William earl of Sutherland, son of Kenneth, was for a short time possessed of extensive property granted to him by his brother-in-law King David Bruce. He married Margaret, the second and youngest daughter of King Robert, by whom he had two sons, Alexander and John. King David nominated Alexander to succeed to the crown, in preference to Robert Stuart, his eldest sister's son; and to enable him to effectuate that project, he conveyed to Earl William large grants of lands in Ross,

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first Sir John Douglas, and secondly, after his death, without issue, John de Keith, the second son of Edward de Keith the marischal, by whom she had a son, Andrew, who inherited her estates: Mary married Nicol Sutherland, the second son of Kenneth, earl of Sutherland, who obtained with her the barony of Duffus, and other lands, and from this marriage sprung the family of Sutherland, Lord Duffus."

The following are inserted in Robertson's index to Charters:

"Charter by King David II. to Ronald Chene of the lands of Duffus."

"Charter by King David II. to Ronald Chene of the fourth part of Kathnes, given by William Fedrey, (Fresken) in the county of Innerness."

"Charter by King David II. to Marjory Chene, of the lands of Strathbrock, &c. and half of Catnes."

The MSS. Index to Charters in the W.S. Library, contains the following:

"Charter by James IV. to George Oliphant and Lady Duffus his spouse, of the lands of Duffus, Berridale, Auldwick and Strabrock, dated 12th August 1497."

"Charter by James V. to Lord Oliphant of the lands of Berridale, Auldwick, &c. dated 20th May 1526." The ruins of the castles of Auldwick and Berridale are still to be seen: both were strong forts in their time; the site of the former much resembles that of Borwe before described; but the ground in its vicinity is a plain.

* "Carta," (by King Robert Bruce) "Patricii de Ogilvie, de barronie de Kettenes, 1309."—*Robertson's Index.*

Inverness, Murray, Aberdeen, Kincardine, and Forfar shires:* the greater part of which, William gifted to sundry persons, in order to obtain their support in regard to his son Alexander's claim. But that young man having predeceased the king his uncle, the scheme, happily for Scotland, failed; otherwise the kingdom had, in all probability, been plunged into such destructive troubles as attended the competition between Bruce and Baliol.

There are no farther accounts regarding this Donald. He was succeeded by his son,

Iye I. 1340—1370,

There have been various conjectures regarding the origin of the name Mackay. Some have alleged, that the name Iye is from the Gaelic word *Oidh*, which has very nearly the same sound with Iye, in that language, and signifies a stranger or guest; and that Mack-Iye is, *Son of the Stranger:* others say that Iye is the same as Diogenes; but the most probable supposition is, that it is an Irish name, derived from O'Donnel, which seems to be a name compounded of Odo and Niel, i.e. Odo-Niel. There are several charters and other writs extant, in which Iye Mackay is called Odo Mackay, as will afterwards appear. Sir Robert, as before mentioned, says that Donald, the son of this Iye, was the first who went under the name Mackay: but this seems a mistake, from

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* "Charter by King David II. to William, Earl of Sutherland, and Margaret the King's sister, his spouse, of the lands of Lynearum, Fettercairn, Aberbuchnock, and half of Foirmartin and of Kintore, and of the thanedom of the county of Forfar."—*Robertson's Index.*

"Charter by King David II. to William, Earl of Sutherland, and his spouse, of the lands of Dunoter."—*ib.*

"Charter by King David II. to William, Earl of Sutherland, and his spouse, of the barony of Cluny, in the county of Aberdeen, with the advocation of the kirk."—*ib.*

"Charter by King David II. to William, Earl of Sutherland, of the Barony of Urquhard in Inverness, in excambion for all the lands in Kincardin which he got in marriage with the King's sister."—*ib.*

the charters granted to Mackays several ages before. It has also been said, and not without some degree of evidence, that the names Iye and Hugh are the same.* Hugh, as pronounced in English, and Iye in Gaelic, have nearly the same sound, and it will afterwards be seen, that the same chief of the Mackays was sometimes called Hugh, and at other times Iye. It frequently takes place, that the same name is pronounced differently in different places, arising from the idioms of speech, such as, what is sounded *Mackay* in the north of Scotland, is *Mackie* in England, and in the more southern parts of Scotland in many instances; and in Ireland the name is *Mackghie*. Upon the whole, it seems most

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* Chalmers, referring to two kings of Scotland, mentions, "To Constantine, succeeded in A.D. 881, his brother Aodh, or Hugh. The Gaelic bard describes him, *Da bhrathair do Aodh flionsgothach*. To his brother followed Aodh the fair-haired."—Vol i. p. 381.

Boece calls Aodh, *Ethus*, and Wyntoun terms him *Hede*.

There is no end to fancy in cases of this kind: if such were to be indulged in, the Mackays might be supposed of English extraction, Macguy; or the same as Maxwell, which, according to Crawford, (History of Renfrew, p. 278.) is derived from Maccus, or Maccuston, the same as son of Hugh. And, afterwards, he adds, the name was changed to Maccuswell, and then to Maxwell; or by agreeing with Douglas, (Baronage, p. 501.) that Ewen and Hugh are the same, and admitting a well-known fact, that the clan Cameron are frequently termed *Mac-Ewen*, this clan and the Mackays may be fancied the same; and it will afterwards appear, that by mistake they have been so. The surname *Keith*, is in Gaelic *Kay*, and then, why not transpose Mackay into *the son of Keith ?*

It seems not improbable, that the names Iye, Hugh, Odo, Donald, and Niel, if not Ewen also, are all from the same root. Odo-Niel is an ancient Irish name, and also O'Donel. As son is *O* in Irish, but *Mack* in Gaelic, the Irish *Odo-Niel* and *O'Donel*, is the Scotch *MacDonald*, and the Irish *O'Niel* is in Scotland *MacNiel*. The names Iye, Hugh, Donald and Niel, have been much used among the Mackays, especially in the Reay country and Argyleshire; and the three last among these other clans. It may also be a question, whether MacGregor and MacNiel, were not originally the same. In old charters, *Niel* is called *Nigel*, and in Gaelic *MacGregor* is *MacNigel*.

Mackenzie writes, "I am credibly informed of one who saw the writ, a charter of a line only, in these words, I. M'Donald sitting upon Dundonald, gives right to you, M'Kai of Killimachunim." *Collections relative to Scottish families MS. in Advocates' Library.*

Chalmers states, that "Dufgal, the son of Mac-che," was one of the persons convened by David I. to decide a controversy.—Vol. I. p. 479.

probable, that the name originated from Ireland, but at what period, it is uncertain.

It may be repeated as a matter much to be regretted, both for the sake of truth, and of doing justice to the family of Mackay, that so few authentic sources of information regarding their ancient transactions are extant; and that recourse must so much be had to Sir Robert Gordon's narrative respecting them, in which, though in general he may be tolerably accurate, as to the existence and dates of actions, and the persons engaged in them, he evidently, on almost all occasions, transposes the circumstances, so as to throw all the credit into the scales of his friends. Thus much, however, may be conceded, that having had a great deal to narrate from tradition, he might state such matters, as he found them among persons of his own family, or their friends, who, it may be believed, would be partial to their own side; but the face of his history, in too many instances, affords strong grounds to presume that he did not stop even here. He writes, "Nicolas Earl of Sutherland had great controversy with the house and family of Mackay, chief of the Clan-wig-worgan in Strathnaver, which did continue a long time between the inhabitants of Sutherland and Strathnaver, although with some intermission."* If Sutherland was so very potent, and Mackay so much his inferior, as he represents him to have been, and even so diminutive as not worthy to be once mentioned in his narrative until now, the controversy had been soon terminated. It appears that their disputes were not merely in words, but in hard blows, slaughters, and spoils, as will be seen anon. William, grandfather of Nicolas, had married king David's sister; John, his father, had married a daughter of the Earl of March, and himself a daughter of the Lord of the Isles; by all which, many of the greatest families in the kingdom were his relations and allies. But with all his power and advantages, it appears that Mackay was able to meet him on the field, and keep him within his

* Page 58.

own boundaries; and that his only alternative was, to have their differences adjusted by arbiters.

"Nicolas, Earl of Sutherland, appointed a meeting at Dingwall, in Ross, with the Lord of the Isles, and divers other neighbours, to reconcile said Nicolas with his enemy Y-Mackay of Far, in Strathnaver, and his son Donald Mackay, for divers slaughters and spoils committed on either side. Having met there at the appointed time, they lodged both in the castle of Dingwall, in several chambers hard by one another. Earl Nicolas and Y-Mackay fell at some hot reasoning and altercation anent these particulars then in controversy between them, and being incensed in anger one against another, upon the repetition of past injuries, with some reproachful words, he killed Y-Mackay and his son Donald, with his own hands; and hardly escaping from their followers and servants, he returned home with all speed into Sutherland, the year 1395."* Very particular indeed, as to a matter which took place about two centuries before the narrator was born!

This is doubtless a partial and distorted view of the case, and he must be wrong as to the date. What were the grounds of the controversy, or the particulars of the consequences, he does not mention. It is not probable that Mackay was the aggressor, as he could not expect to prevail in an unjust cause against Nicolas, supported as he must have been, by so many powerful connections. There is therefore reason to think, that the disputes arose from some encroachments intended by Nicolas, on Mackay's country; and that so conscious was the latter of the rectitude of his measures, in resisting those encroachments, that he was content to join issue with Nicolas, in submitting all their questions to arbiters, one of whom, namely, the Lord of the Isles, was father-in-law of the latter, and no doubt chosen on his part: and perhaps Munro of Fowlis was on Mackay's part, as that family appear to have been in all ages on friendly terms with the family of Mackay. It is also probable that parties had been heard before the arbiters, and that Nicolas, finding

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* Page 58.

that matters were likely to go against him, resolved to determine them by one act of his own; and with that view, he and his followers assassinated Iye Mackay and his son Donald in their lodging, in the night-time. He had some grounds to calculate upon his escape, both then and afterwards, with impunity, notwithstanding that the deed was treacherous and cowardly. He then had his father-in-law and his followers, and his own followers, to support him; whereas the followers of Mackay wanted their leaders: but after all, it appears that his escape was narrow, and that night was his best friend. Iye Mackay must have been pretty far advanced in age at the time, his son Donald having left three sons, and these sons must have then been too young to revenge the murder of their father and grandfather.

And with regard to the date which Sir Robert affixes to this action, the following will shew clearly, that he has post-dated it at least thirty years. He states, that the first William of Sutherland succeeded his father Hugh, some time before the year 1218; that he was succeeded by the second William in 1248, who died in 1325, after possessing the estate seventy-seven years; that to this William succeeded his son Kenneth,—to him his son William,—to him his son John, and to him his son Nicolas, who, he says, died in 1399, so that the last four possessed only seventy years. All this might be possible, abstractly considered: but the period to which he confines the succession of Nicolas, which is from 1389 to 1399, and the date he gives to the murder, disagree with certain facts stated by himself, one of which in particular, is, that in the year 1411, Angus-Dow Mackay, the grandson of Donald Mackay, fought with Donald, Lord of the Isles, who had invaded Scotland with 10,000 men. Now, if the murder of Iye Mackay and his son Donald, was in the year 1395, it is impossible that Donald's grandson, Angus-Dow, sixteen years thereafter, could be of age to command an army to encounter such a host.

Donald left three sons, Angus, Hugh-Dow, and Niel. The next in succession was this

Angus Mackay, 1370—1380.

It has been long a tradition in the Reay country, that, except in one instance, which happened near three centuries after this period, no slaughter of any chief of the Mackays ever passed unrevenged. If this be true, it necessarily follows, either that Sir Robert's account regarding Iye and Donald's death is incorrect, or that Nicolas, Earl of Sutherland, was slain by the Mackays. The latter may be held to be the most probable; for Sir Robert fixes his death four years after the murder, when he must have been a young man, since he was the last of four Earls of Sutherland from the year 1325, as already mentioned.

Angus Mackay married a daughter of Macleod of Lewis,* by whom he had two sons,—Angus-Dow, so termed from his black hair,—and Roderick-Gald, or *Lowland*. Angus, the father, must have died young, having left his sons and his country under the tutorage and government of his brother Hugh, who shewed by his conduct that he was worthy of the trust. He was succeeded by his eldest son, Angus-Dow Mackay.

CHAPTER III.

ANGUS-DOW MACKAY. OCCURRENCES IN HIS TIME.

1380—1429.

"In the time of Robert, Earl of Sutherland, son of Nicolas," says Sir

* Sir Robert. "Charter by John of the Isles, of the lands of Assint, to Torkle M'Loyde," of Lewis.—*Robertson's Index*. Roderick, the son of this Torkle, married a daughter of John, Lord of the Isles; from him descended the lairds of Assint.—*Douglas' Baronage*.

Robert, the terrible battle of Tuttim-Tarwach was fought." Some dispute happened between Hugh Mackay, the tutor, and his sister-in-law, the widow of the late Angus, probably regarding the management of the estate and tutory, to which she claimed a preferable title, in right of her son, Angus-Dow; but Hugh declined coming into her terms. She complained to her brother, Malcolm Macleod of Lewis, who, in consequence, came to the Reay country with a great company of chosen men, resolving to have his sister redressed, either by entreaty or by force. Finding, however, that Hugh was inflexible, he departed homeward in great displeasure, and on his way drove off a great spoil of cattle from the Mackays' lands. Hugh and his brother Niel, with their men, immediately pursued the islanders, and having overtaken them at the border of Ross, a furious conflict ensued, which issued in the slaughter of Macleod and all his men, except one, who only lived to carry home the dismal tidings. The place of the fight was thenceforward called Tuttim-Tarwach, which signifies *plentiful fall or slaughter.* Sir Robert alleges, that Hugh and Niel were assisted by Alexander Murray of Cubin, and a company of Sutherland-men, because part of the spoil had been taken from Breachat, or the heights of Sutherland: but this is contrary to a tradition in the Reay country, and seems, besides, to be incorrect, as Breachat at that time belonged to Mackay. This Malcolm Macleod was termed, *Gill-callum-beg-MacBhowan.*

Hugh died two years after this conflict. Niel his brother left two sons, Thomas and Niel, and a natural son, Morgan, of whom anon. Angus-Dow, upon the death of his uncle, took the management of affairs into his own hands. He was termed *Enneas-en-Imprissi,* which signifies *Angus the Absolute,* from the great power which he possessed, having had 4000 men at his command, as shall soon appear.

In the year 1396, the famous conflict on the north Insh of Perth, was fought between the clan Chattan and the clan Kay: and as a celebrated writer has lately asserted, that the latter were Mackays, the matter merits some enquiry.

Fordun says, that the clan Kay, who fought at Perth with the clan

Chattan, were followers of the Cumins. There is no account that ever the Mackays were so; besides that their local distance disproves it.

Wyntoun affirms, that it was in consequence of an old feud betwixt the two clans:—He wrote about the year 1420, and describes the affair thus:—

"A thousand and thre hundyr yere,
Nynty and sex to mak all clere;
Of thre-scor wyld Scottis men,
Thretty agane thretty then,
In Felny bolnyt of auld Fed,
As thare For-elders ware slane to Dede.
Dá thre-scor ware clannys twa,
Clahynnhe Qwhewyl, and Clachinyha:
Of thir twa Kynnys ware tha men,
Thretty agane thretty then,
And thare thai had than chiftanys twá,
Scha Ferqwharis' son, wes ane of thá,
The to thir Cristy Johnsone.
A selcouth thing be tha wes done:
At Sanct Johnstone besid the Freris,
All thai entrit in Barreris
Wyth bow an ax, knyf and swerd,
To deil amang thaim thare last werd.
Thare thai laid on that tyme sá fast,
Quha had the ware thare at the last
I will noucht say; but quha best had,
He was but dout bathe muth and mad.
Fifty or má ware slane that day,
Suá few with lif than past away."*

Sir George Mackenzie writes, "Shaw, the second son of Duncan M'Duff, third Earl of Fife, accompanied King Malcolm IV. to the north, in his expedition for suppressing the rebellion of the Murrays; for his service done him, he was rewarded with the constabulary of Inverness, and the lands of Petty, Breackly and others, which before had belonged to that people. He was called by the people, to a surname, *M'Toshach*, which signifies, *the thane his son*, for the thane and principal man in a country was called *toshach*, and from that his posterity had the name. His grandchild married the daughter and heiress of the captain of the clan Chattan, whereby he became chief of that clan: but, being opposed by a contrary faction, the decision was by that famous combat in the Insh of St Johnstoun, in the days of King Robert III. anno 1396, after which he was acknowledged by all."†

Douglas relates as follows, "About 1333, the feuds between the clan Chattan and the Camerons began, which continued very long, to the

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* Wyntoun's Chronicle, vol. 2. p. 373. *Advocates' Library.*

† Collection Relating to Scottish Families. *MS. Advocates' Library.* Mackenzie here supposes the opponents of the clan Chattan to have been the clan Pherson, which also is a mistake.

great loss and detriment of both families."—*Baronage*, p. 328. "A bloody battle had happened between the clan Cameron and clan Chattan, at Invernahown in 1370."—*ib.* "The famous conflict was fought on the North Insh of Perth, between thirty of the clan Chattan, and thirty of the clan Kay, in the year 1396. This family, say the antagonists of the clan Chattan, were Camerons."—*ib.* p. 329.

Another writer, Shaw, makes the clan Kay to be the Davidsons, seemingly merely from the similarity of sound, which the one bears to the other in the Gaelic tongue.

There is no question that the clan Chattan were the Mackintoshes: and in order to discover who their opponents were, besides the above, the following remarks are offered. It does not appear that any feud ever subsisted between the Mackays and Mackintoshes; on the contrary, they were always on friendly terms; whereas a long and destructive enmity had obtained between the latter and the Camerons. The two hostile clans must have been living not very distant the one from the other; but Mackay and Mackintosh were so far separated, that they had neither property, nor matters of honour, or precedence, to contend for. Angus-Dow Mackay was at manhood, at the time of the conflict under notice; and neither Sir Robert Gordon, who also narrates the story, nor any other historian, makes any reference to him as having been concerned in it. Cameron, which signifies *wry nose*, cannot be supposed the original appellation of that clan, but it must have been occasioned from some chief having that blemish. There is reason to think that in Wyntoun's time they have been termed somewhat similar to what he spells *Clachinyha*, or *Clan Yha*. It has been noticed, that the clan Cameron have been designed *MacEwan;* to which it may be added that as Hugh is, at the present time in the West Highlands, *Aodhan*, the similarity in sound, of *MacEwan*, and *MacAodhan* is such, that, though distinct as to their application, either of them might have been not only mistaken for the other, but both originally the same. There is, in fine, the most cogent reasons to think, that the opponents of the Mackintoshes were the clan Cameron.

About the beginning of the fifteenth century, Donald Lord of the Isles claimed right to the earldom of Ross which belonged to his wife. Walter Leslie had married Euphemia, heiress of Ross, by whom he had Alexander, Earl of Ross, and a daughter who married this Donald of the Isles. Alexander married a daughter of Robert duke of Albany, by whom he had only one child, a daughter, named Euphemia, who became a nun, and consequently was legally dead; but afterwards, by procurement of the duke, she resigned the earldom of Ross in favour of John Stuart, Earl of Buchan, the duke's second son. This left-handed measure occasioned all the disturbance given to Scotland by Donald, and by his son Alexander. The dignity, however, reverted to Donald some time thereafter, and remained in his family, until John his grandson was compelled to resign it into the hands of James III.; and upon the 4th July 1476, it was annexed to the crown by Act of Parliament, with power to James and his successors to grant it to their second sons.* Bishop Leslie says, that in lieu of this earldom, John obtained Kintire and Knapdale. The best apology for those arbitrary measures, is, that the Lords of the Isles were too powerful and dangerous to the kingdom: but the pretence at the time was, their confederacy with England, and their league with Douglas.

Donald of the Isles, says Sir Robert, conceived such indignation and displeasure at his being deprived of the earldom, that he raised all the power of the Isles, and invaded and spoiled the country of Ross, where he was met by Angus-Dow Mackay, some of whose friends he had injured; a severe conflict ensued, when Mackay, overpowered by numbers, was overcome, his brother Roderick slain, and himself taken prisoner. Emboldened by this victory, Donald marched through Inverness and Murray, threatening to destroy all before him, which issued in the well-known battle of Harlaw, fought in the year 1411; in which there were slain on Donald's part, Maclean and Mackintosh, and on the other

* Pinkerton.—Act, James III. cap. 72.

side Sir Alexander Ogilvy, Sir James Scrimeor, Sir Alexander Irvine of Drum, Sir William Abernethy of Saltoun, Sir Robert Maule of Panmure, Sir Robert Davidson, and divers other gentlemen. Buchanan mentions, that in this battle there fell so many eminent noble personages as scarce ever perished in one battle against a foreign enemy for many years before.

In another part of his book, Sir Robert states, "This Angus-Dow Mackay fought against Donald Lord of the Isles at Dingwall in Ross, because that Donald had molested some friends which Angus-Dow had in that country. At this conflict Angus-Dow was overcome and taken prisoner, and his brother Rory-Gald, with divers others, were slain. Donald of the Isles having detained Angus-Dow a while in captivity, released him, and gave him his daughter in marriage, whom Angus-Dow carried home with him to Strathnaver, and had a son by her, called Niel-Wass, so named because he was imprisoned in the Bass."*

Pinkerton calls him, "Angus Duff, leader of four thousand Mackays of Strathnaver." He refers to Bowar, the continuator of Fordun's Chronicle of Scotland, whose words are, "*Angus Duff alias Macgye, ducem quatuor millium de Strathnavern.*"† Boece writes thus, "Angus Duff of Strathern tuk an gret prey of gudis out of Murray and Cathness."‡ In reference to these, Sir Robert justly observes, "Our Scottish historians have mistaken the person, and have quite changed the same; for the person Angus-Dow Mackay, is, by some of our writers, called Angus Duff, and by others, Angus Duff of Strathern."§ And in another place, he says, "Some of our writers make Angus Duff to come for a prey of goods out of Caithness and Murray, which error any man may easily perceive who knows these countries. Murray and Caithness, are far asunder, having a great arm of the sea interjected between them, called Murray Frith, and having Sutherland and Ross," (Inverness also) "interjected by land between them." Sir Robert must

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* Sir Robert p. 303.
† Bowar continues Fordun's Chronicle from 1389—1460.
‡ Vol. 2. p. 501.
§ Page 67.

have been aware that Angus had been termed a leader of 4000, and yet he takes no notice of it, from which it may be presumed that he was satisfied of its truth.

From the foregoing, it is abundantly evident that this Angus Mackay was one of the most powerful persons in the kingdom, at least to the north of the Grampian mountains; and he can scarely be supposed to have had less than four thousand men under his command before he would encounter Donald, whose power was found upon trial to be equal to that of several counties north of the Tay. Buchanan is doubtless incorrect in stating that the whole country of Ross were willing to return to Donald's subjection; for they had not hitherto been under his government, because upon the death of Alexander Leslie, Earl of Ross, the earldom was conveyed to John Stuart; so that Donald merely claimed, but had not then obtained it: and the people of Ross would naturally prefer the government of the Earl of Buchan, son of the governor of Scotland, to that of Donald, who was reckoned a foreigner, and an enemy to the kingdom. Sir Robert's account is therefore far more credible, namely, that Donald spoiled the country of Ross; and that Angus marched thither with an army, to relieve his friends from his oppression. He does not mention, however, who these friends were, nor from whence Angus had gathered such a great body of men as must have attended him. But he lends a key to it in another place, where he states, that Thomas Mackay (he calls him "Mackneill," because he was son of Neil) who was cousin-german of Angus, was proprietor of Creichmore in Ross, and of several other estates specified in the charters after mentioned, granted to his two brothers and to Murray; and no doubt there were others of his kindred there besides Thomas. Together with his own people, and the different branches of his family, he must have been supplied with a number of men from Caithness, Assint and Ross, and with none from the latter more likely than the Munros, who may have been of the number he wished to protect.

But the battle of Dingwall must have been several years antecedent

to that of Harlaw, for these reasons.—The latter was fought in 1411; Angus Dow had four sons,* the eldest of whom was Niel, who, upon the supposition that both the battles were in the same year, could not be born before 1412, or perhaps the following year; Niel was along with his father, at the conflict of Harpsdale in 1426, as Sir Robert states, in reference to which, Angus was summoned to Inverness in 1427; and John, supposing him to be the second son of Angus, fought the battle of Drimnacoub in 1429, neither of which could have happened, if their father's marriage was subsequent to the battle of Harlaw.

The Scottish historians have mistaken the character, no less than the name of Angus Mackay, which doubtless arose from the partial and incorrect information they had received concerning him. He lived far from court, where his character and actions were misrepresented by his enemies, who had more interest and local advantages; and thereby, while he exercised his power, which was great, to keep his opponents in check, his actions in necessary self-defence, or just retribution, were magnified into crimes of oppression or robbery, or abetting of thieves, and such like. Buchanan, the best of our historians, runs completely wild, where he speaks of Angus, though, no doubt, he relates what he heard from others. He mentions that James the First went to Inverness to administer justice, and suppress robberies: that having ordered all the chiefs to appear, and got most of them in his power, some by threats, others by flattery, he committed about forty of them to prison, some of whom afterwards suffered death, and others were set at liberty. A few pages downwards, he writes thus: "The king, at the desire of his

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* "Ibi arrestavit Angus Duff alias Macgye, cum quatuor fillis suis, ducem quatuor millium de Strathnavern." In English, "Angus-Dow alias Mackay, leader of four thousand Strathnaver-men, or Mackays, and his four sons, were arrested."—*Continuation of Fordun's Chronicle.*

This refers to the case of Angus, when he and his sons were summoned by King James the First, to Inverness of which afterwards.

nobles, had released two of the Anguses, Duffus and Murray, commanders of *the thieves*. These turned their fury upon one another, meeting in equal numbers, for each of them maintained 1500 partisans, out of the spoils of the people. They fought so obstinately, that there was scarce any one left on either side, to be messengers of the slaughter; for some say there were but twelve, others but nine, left alive; so that the king, who was equally angry with both, had scarce any of them left to inflict a punishment upon."

"The king assembled a Parliament at Inverness," says Pinkerton, "in spring 1427, which the highland chieftains were specially summoned to attend; and suddenly arrested Alexander, Lord of the Isles, and his mother, the Countess of Ross, Angus Duff, leader of 4000 Mackays of Strathnavern, Kenneth More, chief of 2000, John Ross, William Leslie, Angus Murray and Macmaken, each also a chief of 2000. Two of them were tried, condemned, and beheaded, and one of them who had murdered the late Lord of the Isles, was also executed in impartial justice. The others were scattered as prisoners, among the castles of different lords of the kingdom; and after a time, some were condemned to death, and some were restored to liberty. The Lord of the Isles and his mother were retained in captivity till, apparently after a year or more, the former was delivered, while the latter seems in vain to have been retained as an hostage for his fidelity. Such were the proceedings upon this occasion, which by some have been termed sanguinary. Perhaps it might, however, have proved more political if James, upon the capture of the chiefs, had insisted upon receiving their sons or nearest relations as hostages, and thus not only have pledges for their good behaviour, but also an opportunity of contributing to civilize the Highlands, by bestowing on the future chiefs a proper education." Some pages forward, he adds, "In Strathnavern, Angus Duff and Angus Murray, both of them lately delivered from the imprisonment ordered at Inverness, met in conflict in the year 1431, with 1200 men upon either side; and so furious was the encounter, that hardly nine of the

whole were left alive." A foot note, referring to Bowar, contains these words, "Angus Duff was the chief of the noted Mackays of Strathnavern."

Regarding the cause, and its circumstances, why Angus was summoned by King James to Inverness, Sir Robert was better informed as to particulars, than either of these historians, although he does not seem to relate all that he heard, or as he heard them. He writes thus, "In the days of Robert, Earl of Sutherland, the year 1426, Angus-Dow Mackay, and his son Niel, assembling all the forces of Strathnaver, they entered into Caithness with all hostility, and spoiled the same. The inhabitants of Caithness convened with all diligence, and fought against Angus-Dow Mackay at Harpsdale, where there was great slaughter on either side. The report hereof came to the ears of King James the First, who thereupon came north to Inverness, of intention to pursue Angus-Dow Mackay. Hearing of the king's being at Inverness, he came and submitted himself to the king's mercy, and gave his son Niel in pledge for his good obedience from thenceforward: which submission the king accepted, and sent Niel Mackay to remain in captivity in the Bass, who from thenceforth was always called Niel-Bass Mackay."*

This writer proceeds, "In this Earl of Sutherland his time, the cruel conflict of Drumnacoub was fought, in the year 1427, or, as some do write, 1429. Niel Mackay, who assisted to fight the battle of Tuttim-Tarwach, had three sons, as I have already shewn, Thomas, Morgan, and Niel. Thomas MacNiel, that is, the son of Niel, possessed the lands of Creich, Spanizedale, and Pulrossie in Sutherland. This Thomas had conceived some displeasure against the laird of Freswick, called Mowat, whom he had pursued and killed, with all his company, near the town of Tain, in Ross, within the chapel of St Duffus, and burnt also that chapel, unto the which Mowat had retired himself as to a sanc-

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* Page 63-4.

tuary. The king hearing of this cruel fact, proclaimed and denounced Thomas MacNiel to be a rebel; promised his lands and possessions for a reward to any that would kill or apprehend him. Angus Murray, the son of Alexander Murray of Cubin, understanding the king's proclamation, went about to effectuate this service; and to this purpose had secret conference with Morgan and Niel, the brethren of Thomas. Angus Murray offered unto them, if they would assist to apprehend their brother Thomas, he would give them his own two daughters in marriage, and help them also to get the peaceable possession of such lands in Strathnaver as they made claim unto, which then they might easily obtain with little or no resistance, in regard that the cousin Angus-Dow was then unable, by reason of the weakness of his body at that time, to withstand them, and that his son, Niel, lay prisoner in the Bass; and farther, he promised that he would deal with the Earl of Sutherland to favour and assist them. To this they easily yielded, pretending a title to Angus-Dow his possessions in Strathnaver. So presently thereupon apprehending their brother Thomas at Spanizedale in Sutherland, they delivered him up to Angus Murray, who was presented to the king. Then was Thomas MacNeil executed at Inverness, and the lands of Pulrossie and Spanizedale, which he did possess, were given by the king to Angus Murray as a reward for his service."* He should have added, that the king, at the same time, granted charters to Niel and Morgan Mackay for their parts in the service. The three charters are on record; they are in Latin, and a translation of their principal clauses is given in the foot-note.†

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* Page 64-5.

† James, &c. King of Scotland, to all good men in the land, whether clergy or laity, sends greeting. Know that we have given, granted, and by this present charter confirmed to our beloved and faithful Angus Moray, son of the late Alexander Moray of Cubin, for his homage and faithful service to us, in apprehending the late Thomas Neleson, our rebel, and by other services done on many occasions, and to be done in future; all and whole our lands of Spinnydale, Invercarron, Polrossie, Bighouse, the two Trantles, and two Forsies, which formerly belonged to the said Thomas Neleson, lying within the counties of Ross and Sutherland, and shire of Inverness. In testimony of which, to

These matters require a good deal of investigation; and though they are by these writers placed seemingly together, without specifying dates, they must have taken place at considerable intervals. Before describing the battle of Drum-na-coub, to which these occurrences led, it will be necessary, so far as possible, to trace them to their origin, in the first place, and then to examine their connection one with another.

The great power which the Mackays then possessed, must have been an eye-sore to the Earl of Sutherland and his friends; and in particular, the extensive property which Thomas Mackay held within Sutherland, could not fail to grieve him. Some dispute arose between John Mowat of Freswick, who seems to have been of considerable note in Caithness at the time, as was his father William de Monte Alto of Loscragy in the south.* His castle, which was the strongest in the

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this present charter, we have ordered our great seal to be affixed. At Perth, the 23d day of March, in the 24th year of our reign, &c.—*Great Seal Register*, B. 3. No. 66.

James, &c. Know that we have given, granted, and by this present charter confirmed to our beloved and faithful Niel Neleson, for his homage and service to us, in the apprehension of Thomas Neleson, his brother-german, and our rebel, and by other services done, and to be done afterwards, all and whole our lands of Creich, Garloch, Daane, Moyzelblary, Cronzcorth, Tuttim-Tarwach, Langort, and Amayde, with the pertinents, which formerly belonged to the said Thomas Neleson, lying in the counties of Ross and Sutherland, and shire of Inverness, &c. At Perth the 20th day of March, in the 24th year of our reign, &c.—*ib.* B. 3. No. 64.

James, &c. Know that we have given, granted, and by this our charter confirmed to our beloved and faithful friend, Morgan Neleson, for his faithful service to us, in apprehending the late Thomas Neleson our rebel, his natural brother, (fratrus sui carnalis) and by other services done and to be done afterwards, all and whole our lands of Golval, Balnaheglish, in Strathalladale, Achanes, Alcassmore, Leynfatmore, and Inveran, with the pertinents, which formerly belonged to the said Thomas Neleson, all lying within our shire of Inverness, &c. At Perth, the 20th day of March, in the 24th year of our reign. —*ib.* B. 3. No. 65.

It appears from these charters, that Thomas Mackay was possessed of lands to a very great extent, situated in Ross, Sutherland, and Mackay's country, and notwithstanding of the royal grants, neither Murray nor his sons-in-law ever enjoyed any part of them in their own persons, nor the latter two in their posterity.

* Charter by King James I. to conveyance of a wadset by William de Monte Alto of Loscragy, to John his son, of the lands of Freswick and Ochyngill in Caithness, dated 1410.—*Robertson's Index.*

country, and the ruins of which are still to be seen, called the castle of Bucholly or Freswick, endured, Torfœus says, a memorable siege in the twelfth century. What the dispute was between Thomas and him, it is not said. As their several properties lay far divided, there appears little cause to think that it was wholly personal; and Thomas must have considered the provocation given him to be very great, when it called for such vengeance. That Sutherland was implicated in their dispute, whatever it was, seems the more probable from his after conduct. When Thomas was brought to his trial, the essence of his crime, no doubt, was the sacrilege, as it was then reckoned, which he committed by killing Mowat in the chapel, and burning that most sacred place, which was unpardonable. Sir Robert says of it, "About this time, (1209) St Duffus, bishop of Ross, lived; a very godly man, patron of St Duffus his chapel, beside the town of Tayn; unto the which chapel, a great confluence of people, yea, some of our kings, did resort in pilgrimage, in former ages."* King James the Fifth, by advice of Bishop Beaton, went on pilgrimage to St Duffus' chapel: the bishop's design was, to have the young king out of the way, so as no application might be made to him for the life of his cousin, Patrick Hamilton, the Scots proto-martyr.†

Neither is it mentioned why Angus Mackay spoiled Caithness previous to the conflict at Harpsdale, (which lies about eight miles south from Thurso:) but the issue tends to shew that he was not the aggressor, otherwise his sentence would not have been so lenient. This invasion of Caithness was perhaps in consequence of some attempts made upon his country during his absence, when assisting his brother-in-law, Alexander of the Isles, to recover his claim to Ross, as after mentioned; or, which is not less probable, the inhabitants of Caithness committed some depredation on the Mackays, in revenge of the slaughter of Mowat and his company, which provoked Angus to retaliate. It is likewise probable, that

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* Page 32. Tain is termed in Gaelic, *Bal-e-Dhuich*, i.e. *The town of Duffus.* The greater part of the chapel walls is still standing, and shews it to be of great antiquity.

† Knox's History.

the death of Mowat happened several years before the year 1423, when King James returned from England; and also that a considerable period had elapsed betwixt his denunciation and apprehension; for the plan laid for his seizure, implies the great hazard and difficulty of effecting it.

In those times of confusion and trouble, previous to the king's return, it appears that Alexander of the Isles, after the death of his father, had given much annoyance to the kingdom, for the cause before mentioned. He was invited by the king to come to Inverness; but after being kindly entertained for some days, he was imprisoned, until he submitted himself, and obtained pardon, and great promises of favour upon his future good behaviour. Finding, however, that his claim to Ross continued to meet with opposition, he resolved to assert it by force, and to chastise those who had been abettors in disconcerting his measures. He raised a great army, consisting of (Buchanan writes) "ten thousand men, hardened to the wars. But two tribes or clans of those who followed him cheerfully to the plunder, when they heard of the king's preparations made against him, deserted him; viz. the men of Caithness* and the clan Cameron." *(Catanei nempe, et Cameronii.)* Before the king's coming against him, Alexander had pillaged and burnt Inverness: but upon the king's approach, and the desertion of his two allies, he resolved to return home, and afterwards to betake himself to the royal clemency. Accordingly he came privately to Edinburgh on Easter-day, in a humble garb, and fell down before the king, and in a moving speech begged his life and property. The king was much difficulted how to proceed in the case. Upon the one hand, he saw it to be perilous to destroy a man who was one of the most powerful in the kingdom, and connected with so many potent friends and allies; and on the other, to dismiss him without any punishment, would be a precedent very dangerous to the public peace; he therefore warily pursued a middle course: he sent him prisoner for some time to Tantallan castle, then belonging to Alexander's nephew, Archibald Earl of Angus; and his mother, who was supposed

* *The translator, by a licence, calls them Clan Chattan.*

to have influenced him in all his attempts to recover the earldom of Ross, which belonged to him in her right, was sent to the island of Inshcolm.*

"The licentiousness of Alexander being thus repressed, (says Buchanan) yet were not all things quiet in the northern countries. For the men of Caithness and Cameron, *(Catanei et Cameronii,)* who, the year before, had deserted Alexander, fell out grievously amongst themselves; and fought one another with such great eagerness, that many of Caithness were slain, but the Cameronians almost all lost."

There can be little doubt that the Mackays were one of those clans who accompanied Alexander to Inverness, and to whom Buchanan gives the designation of Caithness-men; and that what he describes as a fight between the Caithness-men and clan Cameron, is the conflict of Harpsdale before mentioned. Angus Mackay could not refuse to assist his brother-in-law to recover his right, and even to punish such as had aided to deprive him of it. But at the same time, Angus discovered his prudence and loyalty, by withdrawing, when he found that the king was advancing against them: for he would not take arms or rebel against his king, to serve the relation whom he most esteemed. Nor is there any room to suppose a fight to have taken place between the Caithness-men, or Mackay and the clan Cameron, for the reasons already specified.

But to return to Thomas Mackay. There are strong grounds to believe that the plot regarding his apprehension was laid between Robert Earl of Sutherland and Angus Murray; and that plot was truly deep. There were first in the case two young women, and, no doubt, beautiful women, of whom Morgan and Niel had been previously enamoured: and what will not young men encounter for such? There were also great promises of a large country to be obtained, and that without much difficulty; and the powerful Earl of Sutherland was to assist them to obtain it. The unnatural and rash young men swallowed the bait; apprehended their brother, who, of all others, had no suspicion of them;

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* Buchanan—Pinkerton.

and then, as a part of their reward, obtained possession of the young ladies: two innocent doves matched to two vultures.* "The year one thousand four hundred three-score and seven," says Sir Robert, "there was an infeftment granted unto this John, Earl of Sutherland, and his heirs of the lands of Polrossie and Spainziedell."† But he does not say by whom it was granted. Angus Murray was killed at Drim-na-coub in 1431, when, it is probable, these lands, which belonged formerly to Thomas, were conveyed to the Earl of Sutherland, by Niel, the eldest son of Angus Murray. The Lord of the Isles, however, acted more justly with regard to the lands of Creighmore in Ross, which he claimed as superior upon the death of Thomas: for he conveyed them to Paul Mackay, nephew of Thomas. This Paul was ancestor of the Polsons and Macphauls.‡

Buchanan also is mistaken, where he says, "that Angus Murray was summoned to Inverness." He was neither summoned nor imprisoned, nor at all called there; but on the contrary, was in favour with the king for having apprehended Thomas, and got his lands in Sutherland as a reward for that service. Nor was Angus Mackay summoned to Inverness, but went there to vindicate himself from the charges which he knew would be laid against him by his enemies.

Scarcely could one appear before a tribunal in more unfavourable circumstances than those under which Angus Mackay was at that time. His cousin Thomas Mackay had been executed; his

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* Morgan Mackay appears by his charter to have been illegitimate. In the Highlands, where there were many of the same name and surname, the manner, in all periods, to distinguish them, was to design them after their forefathers. Thus Sir Robert Gordon usually designs the Highlanders: he calls John Gun, whose father was Robert, *John Robson,* because there were many in one district named John Gun; and for a similar reason he terms Niel Mackay, of whom afterwards, *Niel-Mack-Ean-Mack-William,* i.e. Niel, son of John, son of William. In this manner, Thomas Mackay and his two brethren are surnamed *Neleson,* in place of Mackay, because their father was Niel; and in former times the family surname, such as MacDonald, Mackay, Macintosh, Mackenzie, &c. was applied only to the chief of the clan.

† P. 75. ‡ P. 65—303.

brother-in-law, Alexander, was under disgrace, and in confinement, and himself accused of having abetted him. The earldom of Caithness was vested in the crown, or in the king's family; and the people of Caithness were his enemies, for having invaded, spoiled, and slaughtered so many of them; the Earl of Sutherland was planning his destruction, and had Morgan and Niel, his cousins, fast bound to him for that purpose. That Earl, besides his own relationship to the royal family, and his other great connections, was married to a daughter of John Dunbar, Earl of Murray, brother of George Earl of March, and son-in-law of Robert the Second; and these Dunbars were allied to the Douglases and other powerful families; while Angus Mackay was left alone to answer for himself, against a host of enemies and accusers.

But after all, what was the great produce of this mountain in labour? merely this,—that Angus Mackay should keep the peace with his neighbours; and as a pledge for his doing so, deliver his son Niel as an hostage. The young man was given in charge to Robert Lauder governor of the Bass, whose lady was his near relation,* from whom he received kind treatment, and had an opportunity of obtaining a share of the learning and accomplishments of that period. "Angus-Dow Mackay," says Heron, "being now old and infirm, and having had the address to recommend himself to the king's favour, was sent away in peace: his son Niel was sent to the Bass."† The decerniture, therefore, in Angus Mackay's case, amounts almost to a justification of his whole proceedings. The king could not be influenced to favour him on any private account, while it was needful for the public peace and safety that such men as he should be enabled to defend themselves, and even to restrain their covetous and ambitious neighbours.

Finding themselves so much disappointed in their designs against Angus Mackay, his enemies resolved, by splitting him with a wedge of his own timber, to accomplish his final overthrow. Robert Earl of Sutherland had succeeded so far, as, by the instrumentality of Angus Mur-

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* Pinkerton

† History of Scotland, V. iii. P. 392.

ray and his sons-in-law, Morgan and Niel Mackay, to effectuate the ruin of Thomas their brother, who, next to Angus, was the most potent of the name, and to get his lands in Sutherland so disposed of, as that they should fall to the earl himself. In order to complete his design, he ordered his vassals and dependants to assist these two monsters, Morgan and Niel, who had betrayed and virtually murdered their own brother, to obtain possession of their cousin Angus's lands, which their brother had held under him. Angus Mackay had by that time, (1429) been far advanced in years, and labouring under infirmities; and having to do with two such unnatural and desperate villains, who would stick at nothing, aided as they were by such powerful emissaries, he was at a loss how to act; but his son, John Mackay, advised him not to yield to any part of their unjust demand; and that he would undertake to defend the country, or die in the quarrel. This affair was terminated by the decisive bat- of Drimnacoub, of which Buchanan and Pinkerton give the imperfect and distorted description before quoted. Sir Robert describes it in the following manner, which, though not correct, is somewhat less partial than many of his other statements where Mackay is concerned.

"Angus Murray, for the performance of his engaged promise made to Niel and Morgan, gave them his two daughters in marriage; then gathering a company of Sutherland-men, with Earl Robert his attollerance, he went on with these two brethren into Strathnaver, to invade the same. Angus-Dow Mackay hearing of their approach, convened his countrymen, and because he was unable himself in person to resist his enemies, he made his son, John Aberigh, commander of his host. When they were ready to encounter, some two miles from Tongue, at a place called Drum-ne-coub, Angus-Dow Mackay sent message unto his cousin-germans, Niel and Morgan, offering them all his lands and possessions, except that which is called Kintail in Strathnaver; which offer they did refuse, whereupon there ensued a cruel and sharp conflict, valiantly fought a long time with great slaughter on either side; Niel and Morgan trusting to their forces, John Aberigh reposing his confidence in the equity of his cause, encouraged his men to assault their enemies

afresh, who, with the like manhood, made stout resistance; by reason whereof there ensued such a cruel fight between them, that there remained, in the end, very few alive on either side. John Aberigh seemed to have the victory, because he escaped with his life, yet very sore wounded, and mutilate by the loss of one of his arms. His father, Angus-Dow Mackay, being carried thither to view the place of the conflict, and searching for the corpse of his unkind cousins, was there slain with an arrow, after the conflict, by a Sutherland-man that was lurking in a bush hard by. Niel and Morgan, with their father-in-law Angus Murray, were slain; and as they had undertaken this enterprise upon an evil ground, so they perished therein accordingly."* "The memory of this skirmish remaineth into that country with the posterity unto this day."†

"The Earl of Sutherland being advertised how all passed at Drumna-coub, and being informed of Angus Murray his death, he pursued John Aberigh so hotly, that he constrained him, for safety of his life, to fly into the isles. But John returning from thence the night ensuing christmas, he came to Strathully (Helmsdale), and there killed three of the Sutherlands at Dinaboll, having invaded them at unawares; whereupon Earl Robert pursued John Aberigh the second time, so eagerly that he was constrained to submit himself, and crave him pardon for his offence, which he obtained upon his submission. Then again John Aberigh settled himself into the country of Strathnaver, where he continued until the death of King James the First, that his brother Neil-Wass Mackay was relieved out of the Bass, by the means of the lady of that place, who was his near kinswoman. And at Niel his return into Strathnaver, John Aberigh willingly surrendered unto him all his lands within the country. Yet Niel gave unto his brother John the lands about Lochnaver, as a possession to dwell in during his days; which lands his posterity, the Sleaght-ean Aberigh," i. e. *the descendants of John Abrach,* "do possess and inhabit at this day."‡

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* Page 65-6. † P. 67. ‡ P. 66-7.

It is admitted by Sir Robert, that the claim made by Morgan and Niel was pretended, and that the cause of Angus Murray, and these sons-in-law of his, was evil and unjust; he admits also, that they had the *atollerance* of Earl Robert to raise his men of Sutherland, to assist them in that evil and unjust cause. But could Sir Robert himself believe, that Earl Robert would lend his men, at the risk of depopulating his country, and without any prospect of gain to himself, but merely to serve two cruel and treacherous scoundrels of the clan Mackay? The thing is too absurd to make a question of it. He alleges, that John lost an arm in the conflict, which is contradicted by tradition; and he had no other kind of authority for his statement. It is also absurd to suppose, that John should immediately after the battle fly to the isles, for fear of the Earl of Sutherland, whose power he had so recently broken; or, if he had had any formidable power remaining, that John would leave his country without a defender, exposed to the invasion of such an enemy. Nor can it be believed that if John had wanted an arm, and fled under such fear, he would, upon his return, have killed three Sutherlands, doubtless of Earl Robert's kindred, so as to exasperate him the more against him. A more probable supposition is, that John, if he went to the isles, it was to visit his cousin Alexander, and that on his return he pursued those Sutherlands as abettors of the plot laid for the destruction of his family. Nor, in such circumstances, would John have so easily obtained pardon, if the earl had had him in his power.

Niel, on his return home, says he, gave to John his liferent use of the lands about Loch-Naver. But he did more, and would have done still more, had John allowed him: he granted to him and his posterity, these lands in fee-simple, and he and they so enjoyed them for more than two centuries, and until they were wrested from them by fraud and violence, as shall appear in its due place; much owing indeed, to their own neglect, as was common with too many in those ages of less learning, but more honesty, of not securing their lands by written titles: and Sir Robert himself was the prime actor in depriving John's descendants of their lands.

"The memory of that conflict," of Drimnacoub, says Sir Robert, "remaineth among the posterity in that country to this day." Yes, and to this day also, which is two centuries later. It cannot be doubted, that he adopted the tradition current in Sutherland, as the ground-work of his story. It is therefore equally fair to collect materials for a description of these matters, from the tradition subsisting in the Reay country; which will be told, after repeating shortly, by way of abstract, the circumstances in which Angus Mackay was placed.

He was calumniated by many as a thief, a robber, a masterful freebooter, maintaining several hundreds of his myrmidons on the spoils of his neighbours; and in consequence he went to Inverness, to acquit himself before the king of these charges. It appears that, however clamorous his accusers had been against him in his absence, none engaged in his presence to substantiate any of these charges, nor to refute his statements in his own defence. He was therefore acquitted: yet, from principles of policy, he was bound over to the peace, and his son Niel taken in pledge. His powerful and trusty friend and cousin, Thomas Mackay, was basely betrayed, his lands forfeited, and himself put to death, from the superstition of the times, for alleged sacrilege; and his brother-in-law, Alexander, was under the royal displeasure, imprisoned, and unjustly deprived of his earldom of Ross, which, of course, led those vassals and friends whom Angus had in that country, to forsake him, being compelled to yield to such as were carried away by the current of present circumstances, from their rightful superior, Alexander. In the course of four or five years, those changes greatly weakened Angus Mackay. He was now far advanced in life, unwieldy and infirm of body, and unable to take the field. This was a tempting opportunity for Earl Robert to bestir himself, to destroy the defenceless old gentleman, and to seize upon his country. He had three fit tools for his purpose, Niel and Morgan Mackay, and their father-in-law, Angus Murray, keeping himself in the shade: and if any complaint should afterwards be laid against him, it could not be proven, or it would be unheard among many powerful and contrary voices, and the whole blame

would be laid on the two cousins, and their father-in-law, who had formerly done good service to the king, by apprehending *the sacrilegious felon, Thomas.*

Thus Murray and his two sons-in-law raised all the power of Sutherland, and invaded Mackay's country, with far more than twice the number of men that it could furnish. It is not at all probable, that Mackay offered his cousins all his country excepting Kintail, which is but a very small part of it, consisting only of strips on both sides of Tongue ferry; besides, that the following circumstances, with what has been formerly said, exclude that idea. Mackay's men having assembled, all determined to defeat the invaders, or to die in the just defence of their country and of themselves, were commanded by John Mackay, a man of much foresight, and singular for bodily strength and courage. He very judiciously chose the ground whereon to meet his enemies; an extended heath at the north-west side of the lofty and steep mountain, Ben-Lyal. There were only two ways by which the enemy could advance upon him; either by the towering and narrow pass of Bealach-duag, at the west side of the mountain, or by its east end. If they advanced by the former, they could be attacked to great advantage, from the narrowness of the pass, which would permit their approach only by files of two or three deep; and if by the latter, John, though his advantage would be less, could take the more elevated ground, so as to be above them. But as their marching by the pass would be most in his favour, which he believed they would prefer, as the shortest course by several miles, and in which he was soon confirmed by his scouts, he formed his men at such a distance from its bottom, as they might rush forward upon them as they gradually advanced, without giving them any opportunity to rally. His men also were all refreshed, whereas the enemy was fatigued by a long march over houseless forests. As the pass was above a mile in length from bottom to summit, John could see the whole of his enemies in their descent, and they him and his company. His father was led to the top of a distant hill, to see and wait the issue.

When the Sutherland-men were descending the pass, one of them

is reported to have said, on seeing the Mackays but a small body compared with themselves, "We can shackle all these men:" to which another made answer: "Take care of yourself—these calves will leap too high for you to shackle them." When the enemy's advanced files were near the bottom of the pass, John and his men marched speedily forward to intercept and attack them, before those behind could concentrate into any strong body; and Murray and his sons-in-law being in or near the van, they, together with all who could come to their assistance, were soon overpowered and slain. There was no parley, but immediately as the foremost arrived within reach of their weapons they attacked them pell-mell.

Those behind seeing the conflict begun, scrambled and leaped down the pass with all speed; but soon finding that their leaders were slain, they lost heart: knowing, however, that they must either fight manfully and overcome, or be slain, they strove desperately for some time, but at length gave way, and fled leaving about half their number dead on the field. Some who attempted to escape by the craggy west end of Ben-Lyal, were soon overtaken and killed; and such as fled by the pass shared the same fate. The only other way of escape was the long circuitous course by the east end of the mountain. The Mackays chased the remainder of the fugitives and killed them along that course for about eight miles, to the ford of a river running into Loch-Lyal, called by the inhabitants, "Aa Carrhie," or *Carry-ford*, where the last man of them was killed, and a large stone laid on his grave, which is seen there to this day. From the security of victory on the part of Sutherland, who came rather to spoil and colonize than to fight, and the advantageous circumstances wherein the Mackays were placed, thus ended the battle of Drimnacoub, so often told, but so much misconstructed by historians. There were comparatively few of the Mackays killed, which appears from their having successfully invaded and spoiled Caithness not long thereafter.

There was one Iver, or Evander, a principal follower of the Earl of Sutherland, residing in Shinness, who, either from the injustice of the

cause, or a presentiment of its bad success, had declined to join in the invasion; at which, it is said, his wife felt so indignant, that on the morning on which his countrymen set out, she laid porridge or stir-about before him for his breakfast; and upon his asking why she had brought him that unusual dish, she replied, That that was the proper meal for cowards. He started up in wrath, and having buckled on his armour, told her, he would go, but that neither of them would ever enjoy peace thereafter. When he had arrived at Drimnacoub, the Mackays were chasing his countrymen, and there was none of either side on the field of battle, excepting Angus Mackay, who was leaning on a servant, viewing the slain. Evander thereupon concealed himself in a bush, and shot an arrow at Angus, which killed him. Upon which Evander fled with all speed by a circuitous way, so as to avoid the Mackays: but though he escaped at that time, and for several years thereafter, he was at length killed by William-Dow Mackay, grandson of Angus.

Thus fell the great Angus-Dow Mackay by the hands of a skulking assassin. He was inferior in power to few in Scotland in his time, excepting Douglas and MacDonald; and his alliance with the latter was the cause that prevented the still farther advancement of his house. He was the first to give battle to MacDonald; and his alliance was so much sought by that powerful, and in a manner independent lord, as to secure it by giving him his daughter. Those Lords of the Isles held originally of the kings of Norway, but these foreigners had for about two centuries prior to Donald's time, ceased to claim any superiority over the Hebrides; nor did those lords owe any submission to the kings of Scotland until the earldom of Ross fell to Donald. He is blamed for having entered into an alliance with England: but which seems only to have followed upon the unfair treatment he had met with as to Ross, by which he was discharged of all obligation to Scotland, and of course free to transact with England. The only apology for depriving him of Ross, was, the danger to Scotland of allowing one to hold lands there, who was otherwise independent and powerful. Under a similar

pretence, Sinclair, Earl of Orkney and Caithness, was deprived of the latter: but the principal cause was his mother being a daughter of Douglas. Donald's mother was daughter of Robert the Second, by whom he was related to the greatest families in the kingdom.*

Neil Mackay, slain at Drimnacoub, says Sir Robert, had three sons, Angus, John Bain, and Paul. From Angus the MackNeils in Sutherland are descended: but that distinctive name, is now lost in that of Mackay. John Bain, or *fair*, was ancestor of the Bains of Caithness, who multiplied, and held lands there for some centuries;† and many of them retain the name to the present day, both in Caithness and the Reay country; only that in the latter district they are Bain *alias* Mackay; and such of them as leave the country, take the name Mackay alone. Another branch of these Bains flourished long in Ross, and there were of them Lairds and Knights of Tulloch, until they were in the last century succeeded by the Davidsons.‡ From Paul, the MacPhails and Polsons are sprung, many of whom are still in these northern counties. They appear to have originated in Ross, where Paul obtained the lands of his uncle Thomas, from Alexander of the Isles, as before noticed; and which afterwards fell to the Grays by marriage, who were descended from a second son of Lord Gray of Foulis, named John; who having killed the constable of Dundee about the year 1456, for some violence done to Lord Gray, had fled to Ross for his safety. The Pol-

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* Pinkerton, Vol. I. P. 7.

† In the Sheriff-court records of Caithness, the names of the Bains or Baynes of Flex, and others, often occur in the reign of Charles II.

‡ Charter by King James V. to Duncan Bayne of Tulloch, of the king's land of Culch, Ballasfreis, &c. in Ross, dated 16th July 1541.—*Great Seal Register.*

Charter of resignation Queen Ann to Kenneth Bayne of Tulloch, nephew of the late Sir Donald Bayne of Tulloch, of the lands of Achnacleroch in Ross, dated 29th Nov. 1711.—*ib.* There are many other charters in the several reigns, down from James V. in favour of the Bains of Tulloch and others in Ross; and they always acknowledged themselves as descended from the Mackays.

sons also had lands in Sutherland. During the last two centuries there have been a respectable family of Williamsons of Banneskirk, in Caithness, of the Shil-Thomas Mackays, descended from Thomas before mentioned; and another family of the Shil-Thomas Mackays, were for a long period proprietors of Holburnhead; the last of them, who was named William Shil-Thomas Mackay, died in Thurso about the year 1796.* Thomas had always been held in great repute among the Mackays, from a conviction of his worth, and the injustice and cruelty he met with. The Gaelic term *Shil* signifies *seed*.

CHAPTER IV.

JOHN-ABRACH MACKAY, &c.

1429—1437.

In consequence of the signal and decisive victory he had obtained at Drimnacoub, his name became famous in his time, and to posterity. He governed the country in peace, during the absence of his brother Niel; was much beloved by the people, who viewed him as their common father, while he considered himself as their guardian, acting for his absent brother. As he possessed great strength of body, and courage and fortitude of mind, so he excelled in all the social virtues. He was unambitious of encroaching on his neighbours, and they were too much aware of his prowess to provoke him, or give him any ground to retaliate. The common opinion is, that Niel's detention was for seven years,

* Sept. 17, 1672.—James Shil-Thomas of Holburnhead retoured heir of James Shil-Thomas of Holburnhead, Sandiquoy and Utersquoy, in the parish of Thurso, lands of Achilone, in the parish of Halkirk, and a tenement in Thurso.—*Special Retours, Caithnessshire.*

in which case, his return must have been in 1434; but Sir Robert says he only returned upon the death of King James, which was in 1437.

John was distinguished by the appellation of *Abrach* or *Aberigh*: some say, from his having in his youth resided for some time with relations of his in Lochaber; and others, from his bold resolute disposition; but the former is by far the most common and probable opinion. His descendants have always been, and to the present time are, termed Slighd-ean-Abereigh, i. e. *the offspring of John-Abrach.* They were the most populous and powerful branch of the Mackays. It is said, that during his brother Niel's long absence, John was solicited by the people to assume the chieftainship, but he declined to interfere with his brother's right. Upon Niel's return, he gave to John and his heirs, in fee, the lands of Brechat, or heights of Sutherland, together with those round Lochnaver, consisting of Achness, Truderscag, Corrihuran, Achoul, Rhihalavag, Clibrig, Mowdale, Tubeg, Grubmore, Grubeg, and, as some say, the Strath of Naver, as far down as Rosshall. As these lands bounded with Sutherland, John and his descendants became wardens of Mackay's country; and as they were in consequence, frequently opposed to Sutherland, during the two following centuries, Sir Robert is liberal in complimenting them after his own manner.

John married first, a daughter of the laird of Mackintosh, by whom he had two sons, William-Dow, who succeeded him, and John; and, secondly, a daughter of Hector Mackenzie of Garloch, brother of the laird of Kintail, by whom he had a son, Hector.*

Niel Mackay, 1437—1450.

There are no accounts of any public disturbances in these northern districts, during his time, excepting an invasion which he made on Caithness, but for what cause, there is no mention. Sir Robert de-

* Manuscript in possession of George Mackay, Esq. Stewart-Hall, in Bute.

scribes it thus, "In this Earl (Robert) of Sutherland his days, Neil-wasse-Mackay, immediately after his releasement out of the Bass, the year 1437, entered into Caithness, and spoiled the country. He skirmished with some of the people of the country, at a place called Sansett, where he overthrew them, with slaughter on either side. This conflict was called *Ruoig-Hansett*, that is, the flight or chase at Sansett. After which Niel-Wasse died, leaving two sons, Angus and John-Roy. Of this John-Roy, the Sleaght-ean-Roy *(offspring of John-Roy)* are descended."*

The tradition regarding this invasion, is to the following effect: The people of Caithness had committed some depredations on the east parts of the Reay country, in return for which, he and his brother John-A-brach with their men, marched into Caithness, and took a great spoil with them. The better to provide against an assault, they placed a reserve about the border beyond Drimholisten, *(Prospect-hill)* to be ready to assist, if necessary. Niel and John were overtaken by a great company of Caithness-men at Downreay, when a fierce conflict ensued; but at length the latter fled, and were pursued with slaughter about four miles to the water of Forss, where Niel and John saw a fresh company marching with speed down the hill of Forss, to assist their flying countrymen. The Mackays then retired back as far as Sandside, before their opponents got up with them, and by that time they were joined by their reserve. A most desperate engagement followed, which terminated in the defeat and flight of the Caithness-men, who were pursued with considerable slaughter as far as Downreay, about three miles. It is to this day called *Ruoig Haunsaid*, i. e. *the Sandside Chace.*

But the fate of Evander, who killed Angus Mackay, should not be omitted. Various pursuits had been made after him by William-Dow, son of John Abrach, without effect, as he generally slept among the hills, and always changed his hiding-place nightly. On his way to one of these places, he had a river to cross, but unhappily for him, he at last

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* Page 68.

was met by William, in the centre of the ford, who called to him in Gaelic, *Ata en aa sallach*, i. e. *the ford is foul.* "I see so," replied Evander; upon which William struck off his head, took it up, and let the body go with the stream. He brought the head with him to Tongue, and laid it on *Cnocan-en-cann*, i. e. *the Knoll of heads*, by which name the place is known to the present time.

During the first half of this century, the earldom of Caithness passed through various hands. After it had reverted to the crown, from Walter, Earl of Athole, to whom it had been gifted by his brother, Robert the Third, and continued there for a few years, it was in the year 1424 granted by King James to his cousin Allan Stuart, son of Walter, who retained it only for four years, having been slain at Inverlochy in Lochaber, in the battle against Donald Balloch of the Isles; and Allan having left no issue, the earldom returned to the crown, where it rested until 1454, when, with consent of Parliament, it was granted to George Crichton, under the restriction that if he died without male issue, it was to revert to the crown; and as he died childless the following year, it returned accordingly, where it remained until it fell to the Sinclairs.

Henry Sinclair, Earl of Orkney, died in 1420, and was succeeded by his son William, chancellor of Scotland. This William was twice married; first to Margaret, daughter of Archibald, the fourth Earl of Douglas, by whom he had a son named William; and second to Margery, daughter of Alexander, master of Sutherland, by whom he had a son also named William. During the period in which the Sinclairs held Orkney, they were under the sovereignty of Denmark, to whom these islands belonged; and as the Sinclairs also claimed titles and lands in Scotland, the kings of Denmark were jealous of them, and on that account admitted their claim to Orkney under strict and severe conditions and burdens. Upon the other hand, because of their subordination to Denmark, and the exorbitancy of their power, should they hold both Orkney and Caithness, the kings of Scotland never admitted their claim to the latter while they held the former, but to which claim they notwithstanding adhered, and retained it as a part of their titles. Hume of

Godscroft,* and others, mention that William, the chancellor, 29th April 1456, obtained from James the Second a confirmation of the earldom of Caithness united into one barony, and of his lands of Orkney, in compensation of his claim and title to the lordship of Nithsdale, with offices and pensions whatsoever that were held by his grandfather Lord Nithsdale, by contract of marriage with Giles Stuart, daughter of king Robert the Second, by his wife Elizabeth More. The following articles are inserted in the inventory of Caithness writs: "Charter by King James II. of the offices of justiciary and sheriffship of Caithness, to William, Earl of Orkney and Caithness, anno 1455." "Revocation, King James II. of all deeds done by him, except the infeftments granted to the Earl of Orkney and Caithness, dated October 1455, under form of instrument." "Charter by King James the III. dated at Edinburgh 24th September 1470, confirming all gifts and concessions made and granted to William, Earl of Caithness, by him or his predecessors, concerning the offices of justiciary, chamberlain, and sheriff of Caithness." "Double charter, King James the III. of the earldom and jurisdictions of Caithness, upon the resignation of William, Earl of Orkney and Caithness, anno 1480."

The two Williams, sons of the chancellor, had disputed about the earldom of Caithness, as appears by a contract dated 9th February 1481, entered into betwixt William the elder, and his eldest son, Henry, on the one part; and Sir Oliver Sinclair, William's brother, on the other; wherein Sir Oliver obliges himself, "that if there be any debate between the said William, and William his younger brother, for the earldom of Caithness, in that case to stand neuter betwixt them."† This William,

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* History of the House of Douglas.

† The following account of the Earls of Caithness, is given by Balfour in his genealogy of the noble families of Scotland.—*Manuscript in Advocates' Library, written in the year* 1627.

"1. Sherwes MackWilliam, Earl of Caithness, in the reign of King David I. is witness to a charter of St David's given to the abbey of Dunfermline. He had a son.

"2. Harold Chisholme, or Harold Guthred, who succeeded to the earldom. This earl

Lord Sinclair, was son of William the elder, and was called *the Spendthrift*. William the younger was, by James the III. preferred to Caithness, and his connexion with Sutherland seems to have been the cause,

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put out the eyes of the bishop of Caithness; King William apprehended the said earl for his villanous fact; caused first put out his eyes, then cut his tongue, &c. and then hang him on a gibbet fifty feet high.

"3. In the reign of King Alexander II. Malcolm, Earl of Caithness, was forfeited for burning Adam, Bishop of Caithness, in his bed, anno 1222. The king caused apprehend the delinquents, and punished them by the loss of their heads. The earl was restored in the year 1224, but was afterwards killed in his bed by his servants.

"4. Earl John. This earl obliged his followers, by their hand writ and seal, to serve Edward the I. of England. This writ is of date, at Murkill in Caithness, 15th August, in anno 1297.

"5. Magnus, Earl of Caithness and Orkney, in anno 1312.

"6. Malisius Spar or Spier, Earl of Stratherne, Orkney, and Caithness. He gave his daughter, Isobel, with the earldom of Caithness, to William, Earl of Ross, in anno 1343. The next year Malisius was forfeited for disponing the earldom of Stratherne to Warren, the Scottish king's enemy. Maurice Murray was created Earl of Stratherne, and the earldoms of Ross and Caithness were annexed to the crown.

"7. Robert III. King of Scotland, created his brother, Walter Earl of Athole, Earl of Caithness, as appeareth by a charter in anno 1409.

"8. Allan, son of Walter, succeeded to the earldom by his father's destination in anno 1424. He was killed in Lochaber in anno 1428, so that the earldom returned to the crown.

"9. George Crighton, eldest son of William Crighton, Earl of Murray, and laird of Frendreght, was, by King James II. created Earl of Caithness. He died within a year, so that again the earldom returned to the crown.

"10. William St Clair, second son of William, Earl of Orkney (and Caithness) by Marrion, daughter of Alexander, eldest son of John, second Earl of Sutherland, was created Earl of Caithness by King James III. (1476.)

"11. John, his son. He was slain in Orkney.

"12. George, his son. His son John, who was confined during his life by his father, married Jane Hepburn, daughter of Patrick, Earl of Bothwell, and had by her four sons and a daughter: his sons were, first, George, thirteenth Earl of Caithness; second, James Sinclair, laird of Murkle, who married Mary Stewart, daughter of Robert, Earl of Orkney; third, Sir John Sinclair of Greenland; and fourth, David Sinclair of Stircoke: he married and had issue, a son, John, slain in anno 1612, at Thurso, by Mackay of Strathnaver.

Both Balfour and Sir Robert, who wrote about the same time, affirm that William, the chancellor, had for his second wife, Marjory, daughter of Alexander, master of Sutherland, and this has been stated in the text; but in the Sutherland case, it is mentioned

whose interest, from their alliance with the Dunbars, and their confederacy with the Gordons, had now become of importance; whereas the king was jealous of William the elder and his family, because of their relationship to Douglas; and it had been made a pretence for forfeiting William, that he was concerned with his brother-in-law, Albany, in fortifying and retaining the castle of Crighton against the king. He had resigned his claim to Orkney in the king's favour, and received in exchange the castle of Ravenscraig, and sundry lands, the king having married Margaret of Denmark, and obtained Orkney and Zetland in pledge for her dowry.

Niel Mackay, as Sir Robert states, "married a gentlewoman of the surname of Munro, by whom he had two sons, Angus Mackay, and John Roy-Mackay, from whom the Sleaght-ean-Roy are descended."* Niel and his brother John are supposed to have died some time about the middle of the fifteenth century. The latter was succeeded by his son William-Dow-Abrach Mackay, and the former by his son,

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that the second wife was Marjory, daughter of Alexander Sutherland of Dunbeath. The words are with regard to both marriages, "This William was twice married: first to Lady Margaret Douglas, daughter of Archibald, fourth Earl of Douglas, by whom he had a son, William, who obtained from his father the lands of Newburgh in Aberdeenshire. He was ancestor of Lord Sinclair's family. He married, secondly, Marjory, daughter of Alexander Sutherland of Dunbeth, who executed a will and settlement in favour of his daughter Marjory, and William Earl of Orkney and Caithness, and the bairns gotten and to be gotten betwixt them, dated 15th November 1456. By this marriage, William Earl of Caithness had two sons; first, Sir Oliver, who obtained from his father a charter of the baronies of Roslin, Herbertshire, &c.; and second, William, who obtained a charter of the earldom of Caithness from King James III. dated 7th December 1476, in consequence of a resignation of the earldom made by his father on his account."

* From this John Roy Mackay, Captain Robert Mackay of Hedgefield, near Inverness, is lineally descended.

It appears that Niel had a third son, who was ancestor of the Mackays in Fife.—*Douglas's Peerage.*

Angus Mackay III. 1450—1475.

A branch of the Keiths had been settled in Caithness from the time of Ronald Cheyne. About the year 1464, some serious disputes had arisen between Keith of Ackergill and the Guns, and other inhabitants of Caithness. Sir Robert says, "The Keiths, mistrusting their own forces, they sent to Angus Mackay (the son of Niel-Wasse) intreating him to come to their aid; whereunto he easily condescended. Then did the inhabitants of Caithness convene in all haste, and met the Strathnavermen and the Keiths, at a place in Caithness called *Blare Tannie*, i. e. *The Moor of Tanach.* There ensued a cruel fight, with great slaughter on either side. In the end the Keiths had the victory, by the means chiefly of John-More-Mack-Ean-Reawich, who is very famous in these countries for his valour and manhood shewn at this conflict."* It seems probable that these disputes took their rise from some claim laid by one of the Oliphants to some lands held by Keith :† for he must have been a man of great influence, who could raise such a company as that Keith required Mackay's aid to oppose them. Tannach lies near the east coast of Caithness, three miles south from Wick; so that Mackay had to march the whole length of the county before he came to the place of battle; the distance from the west border of Caithness to Tannach being about thirty-four miles: and he must have been strong before he adventured on such a march through an enemy's country. Perhaps the ancient couplet, which is still repeated in Caithness, was occasioned by this conflict, and the disputes which led to it:

Sinclair, Sutherland, Keith, and Clan Gun;
Never was peace where these four were in.

The Guns appear to have been of ancient date in Caithness. It is said that they originally came from Denmark; and from the term

* Page 69.

† Charter by James IV. to George Oliphant and Lady Duffus, his spouse, of the lands of Berridale, Auldwick, dated 12th August 1497.—*Robertson's Index.*

Cruner which had been always applied to their chief, there is ground to think that he held heritably the office of coroner in that county. In Robertson's Index it is said that Inghram Guyn and Ronald Cheyne are witnesses to a charter granted by King David II. After long quarrelling between the Keiths and Guns, it was agreed that riders on twelve horses each side should meet at the Chapel of St Tayr, near Ackergill, to adjust all their differences. At the time appointed the chieftain of the Guns with eleven men of his tribe attended; and as the Keiths had not arrived, they employed the intermediate time in devotion. At length the Keiths appeared on twelve horses, but with double riders on each, and immediately they set upon the Guns, and killed every man of them, but with the loss of the greater part of their own number. Sir Robert, who relates the tragedy, says their blood was seen on the walls of the chapel in his time. The chieftain, or coroner's son, James Gun, then left Caithness with his clan, and settled in Sutherland, where they became wardens of that district. William, son of this James, and a number of his tribe, afterwards intercepted George Keith of Ackergill, accompanied by his son and twelve of their followers, on their journey from Inverugy to Caithness, and killed them all in revenge of the above massacre. This William was surnamed Mackamish, i. e. *son of James;* and thenceforward the chieftain of the clan Gun has always been titled *Mackamish.*

The Earl of Caithness fell under the displeasure of James the Third, and was forfeited. Sir James Balfour, Lord Lyon, writes, "This Earl William was forfaulted by King James the Third in anno , the earldom of Orkney and lordship of Zetland being annexed to the crown." It is currently reported, that at the battle of Flodden, (mournful to Scotland,) when the English were pressing hard on James the Fourth, he saw William Earl of Caithness and his men speedily advancing, all clad in green; and having enquired at those next him, who they were, they replied, they could not tell; upon which he said, "Should that be William Sinclair, I will pardon him." When William came up, the king wrote on a drum-head a pardon, and removal of the forfeiture, which

William immediately cut out, and delivered to one of the clan Gun, charging him to return to Caithness and deliver it to his lady, that whatever might befal himself, his family might be secured in his titles and lands. William and all his men were slain. He had passed the Ord of Caithness on a Monday, and for a long time the Sinclairs had an aversion to cross that promontory on that day of the week, and to wear any garb of green. It is also said that this deed, granted to William on the field of Flodden, had been in the custody of the earls of Caithness until the death of Alexander in 1766, when it was carried away by his son-in-law and executor, the Earl of Fife, and that it still remains with his family.

Some of these statements seem to be countenanced by the following articles in the inventory before mentioned. "Remission, George apostle of the Isles, to William Earl of Caithness, for all murders and crimes committed by him from the year 1501—1510."*—"Sasine following on the retour of John Earl of Caithness 1513." He succeeded his father William, who was killed at Flodden in that year. To the article as to the remission, these words are added, "wherein the murder of the bishop is thought to be comprehended, dated anno 1510." It would seem that the forfeiture was on account of the murders and crimes referred to in the remission. In those times, when church anathemas were incurred for crimes succeeded by forfeiture, the removal of the anathema was a prerequisite to the recalling of the forfeiture. But it is uncertain what bishop is alluded to. After the death of William Moodie in 1460, if Spottiswood of St Andrews be correct, one Prosper was elected bishop of Caithness, who, it is said, resigned the place to John Sinclair brother of William; but as he was never consecrated, the see was during his time virtually vacant, and its affairs were under the superintendence of Adam Gordon, dean of Caithness, who was son of the first Earl of Huntly.† Andrew Stuart, commendator of Kelso and Fern was the next bishop of Caithness, who died in 1517. Probably

* George Hepburn, uncle of the first Earl of Bothwell, was bishop of the Isles, from 1510—1513.—*Keith's Catalogue of Bishops.* † Sir Robert, P. 104.

the bishop who was murdered, if such took place, had opposed the admission of John Sinclair.

Earl John the second of Sutherland, died in 1460, and was succeeded by his son, John the third, who married a daughter of John, Lord of the Isles, and Earl of Ross, by whom he had two sons, John who succeeded him, and Alexander, who, Sir Robert says, died young; and a daughter, Elizabeth, who was married to Adam Gordon of Aboyn, afterwards Earl of Sutherland. "This countess of Sutherland, (the Lord of the Isles' daughter,") says Sir Robert, "being upon the ferry of Unes, as she was passing the same, perished by storm of weather; she came into the shore with some life in her, after the boat was overwhelmed; but a fugitive, called John Dairg, dispatched her; for the which inhuman fact, he was apprehended and executed."* After the death of this lady, Earl John the third married a daughter of the Laird of Balnagown, by whom he had two sons, Alexander and George.†

From the year 1460 or thereby, until 1476, when the earldom of Ross was annexed to the crown, that district was miserably oppressed and spoiled by incursions made by the islanders, under colour, either real or pretended, of maintaining their Lord John's title to that earldom; and in which they were countenanced by some of the inhabitants, and particularly the MacDonalds. It appears that these violent and lawless proceedings were carried so far, that government at length interposed: for the Literary Gazette mentions, that during the proscription of John Earl of Ross, and Lord of the Isles, letters of fire and sword were granted to the Gordons, the Mackays, and the Mackenzies, against the clan Donald; and that the lands of the latter were in consequence over-run by these families, and divided among them. This probably may account for the violent and bloody conflicts which took place be-

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* Sir Robert, P. 75.

† The Rosses, and particularly those of Balnagown, were long of note, and powerful; they were descended of the Earls of Ross. "Charter by King Robert II. confirming a grant by William Earl of Ross, to Hugh Ross his brother, of the lands of Balnagown, &c. within the earldom of Ross, and shire of Inverness."—*Robertson's Index.*

tween Angus Mackay, and after him his son, and the inhabitants of Ross ; and also for the settlement of the Bains, and some other branches of the Mackays, in that county. If the Mackenzies, who were inhabitants at the time, suffered more than the Gordons and Mackays, they were much larger sharers of the spoil when it came to be divided ; for they were suddenly enriched and advanced in consequence. "From the ruins of the family of Clandonald," says Sir Robert, "and also by their own virtue, the surname of the Clankenzie from small beginnings, began to flourish in these bounds." It is not very probable that the Gordons interfered against the Macdonalds. Sir Robert is not only silent as to this, but he states that the eldest daughter of Alexander, Earl of Huntly, was contracted to John of the Isles, but that she having died in consequence of a fall from a horse, before the marriage was consummated, he married her younger sister.

The same author mentions, that Angus Mackay was killed and burnt in the church of Tarbet by the Rosses. If a similar redress as in the case of Thomas Mackay was not given for this cruelty and sacrilege, John, the son of Angus, took it amply at his own hands.

Angus married a daughter of Mackenzie of Kintail, ancestor of Lord Seaforth ; and his mother having been of the family of Fowlis, the Mackenzies and Munros were of course his allies and friends. He left three sons, John, Iye, and Niel. He was succeeded by his eldest son,

John Mackay I. 1475—1495.

It was customary in the highlands, where a whole tribe had the same surname, not only to distinguish individuals of them by father and grandfather, as has been said, which was the most common way, but also by the colour of their hair, their disposition, place of residence, or other personal, local, or accidental circumstance. This John Mackay was termed John-Reawach, from the colour of his hair ; the term Reawach signifying *yellowish-red.* His next brother was called Iye-Roy,

because his hair was red; and his younger brother was called Niel-Naverach, which addition to his name was given him in Caithness, where he resided, and where to this day it is common to call one from the Reay country, *Naverach*, i. e. a *Strathnaver-man.*

John Mackay, some time after he had succeeded to his father's lands, resolved to revenge his death; for which purpose, having assembled his men, and put half of them under command of William-Dow Mackay, son of John-Abrach; and being also accompanied by the men of Assint, and such friends as he had in Sutherland, he invaded Strathoikel in Ross with fire and sword, burnt, wasted, and spoiled all the lands belonging to all of the name of Ross, and their allies. Ross of Balnagown immediately raised all the power of the county to oppose the invaders, upon which a most severe conflict ensued, and for a considerable time it appeared doubtful which party would have the victory. At length, however, the Ross-men, after great slaughter was made among them, gave way, and fled. Ross of Balnagown, and seventeen other proprietors of land in Ross were slain, together with an immense number of their followers. "The manuscript of Fern," says Sir Robert, "contains the following names of the principal persons who were killed, Alexander Ross of Balnagown, Angus M'Culloch of Tarrel, William Ross, Alexander Tarrell, William Ross, John Waus, William Waus, John Mitchell, Thomas Waus,and Hugh Waus. A great spoil of cattle was driven off, and divided among the victors in the customary manner. Sir Robert states, that the Assint-men insisted that the men of Sutherland should receive no share of the spoil, but that William-Dow, who detested such injustice, said, that he should be an enemy to any who would act such a fraudulent and base part. This conflict happened at a place called Auldicharish.

It appears that complaints had been laid before the king against John Mackay for this invasion, slaughter, and spoil; but what order was taken concerning them is not known, only that the complainers seemed to have received no redress: for King James IV. not long after, grant-

ed a remission to Mackay, which, there is no room left to doubt, referred to this case.*

A few days after John Mackay's remission was granted, he was joined with the lairds of Mackintosh and Balnagown, in a royal commission, which, there are reasons to think, was to apprehend Alexander Sutherland of Dirlet, who had been forfeited and denounced rebel, and his lands had been promised to either of them who should deliver him to the king: but John having died soon thereafter, the service was reserved for his successor.†

William-Dow Mackay of Achness and Breachat, married a daughter of Hugh Ross, brother of the laird of Balnagown, by whom he had three sons, John who succeeded him, Murdoch, and Hector.‡ John Reavach Mackay having died without issue, was succeeded by his brother,

Iye Mackay II. 1495—1516.

Alexander Sutherland of Dirlet, cousin-german of Robert, Earl of Sutherland, assisted by ten accomplices, had murdered Alexander Dunbar, brother of Sir James Dunbar of Cumnock. Margaret Baillie, widow of John the second, Earl of Sutherland, had been involved in some disputes with her son Earl John the third; she had married this Alexander Dunbar, who consequently was concerned in these disputes; and Sutherland of Dirlet having, at the same time, owed a debt of considerable amount to Sir James Dunbar, the latter comprised some

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* In the Lord High Treasurer's books, the following item of expenditure in the king's service appears inserted: "Apud Banff, A.D. 1494. Inter penult October and November 10. Remission to Johne M'Kye, iiij lb. *Four pound Scots.* Compot. Thesaur.

† The Lord High Treasurer's books contain the following article of expenditure, "*A. D.* 1494, *Nov.* 18*th.* [King James IV. at Aberdeen.] Item gevin to ane curror, (courier) to pass fra Abirdene wt ye extrect (extract) of ye air, to Mckintosch and Roos of Ballnagowne, and to M'Kye, xxs."

‡ Stewart-Hall Manuscript.

of his lands on that account: which circumstances led Sutherland to commit the murder. Sir James pursued Sutherland and his accomplices before the justiciary, and had him forfeited and denounced rebel. "The king," says Sir Robert, "sent to search him every where, promising his lands to any that would bring him in." The task was difficult, and it was the more so, because Sutherland doubtless was protected by his cousin, Earl John, in whose quarrel he had so far engaged himself, and in whose district he and his accomplices sheltered themselves. At length, the king granted warrant to Mackintosh, Ross, and Mackay, to apprehend the rebel. Mackay was the only person who could be supposed best qualified to execute the commission, because Mackintosh lay at too great distance, and Balnagown's daughter was then married to the Earl of Sutherland, besides that Mackay had many friends and dependants in Sutherland, to inform him where the rebel was to be found. After some search, Mackay's vassals apprehended Sutherland and his ten accomplices, and conveyed them to the king, who, according to his promise, granted him a charter over his lands. Some of the lands mentioned in the charter, such as Armadale, Strathy, Renevy, and davochs Loch-Naver and Eriboll, did not belong to Sutherland; but how they came to be included, it is not easy to say, unless he had possessed them under the Mackays. A translation of the substance of the charter, which is in Latin, will be seen in a foot note.* It is almost needless to

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* "James, &c. Know that we, for the good, faithful, and gratuitous service done to us by our beloved servant, Odo *alias* Y-Mackay of Strathnavern, both in the time of peace and war, by services done and to be done, have given, granted, and by this present charter confirmed to the said Odo Makky and to his heirs, all and each of the lands underwritten, viz. the lands of Armidill, Strathy, Rynivee, Kynald, Gollesby, Dylrid, Cattak, Bronych, Kilchallumkill in Strabroray, Davoch-Lochnaver, Davoch-Ereboll, and two tenths of land of Stromay, with the mill of Kynald, with the pertinents, lying in Caithness and Sutherland, within our shire of Inverness, which lands and mill, with their pertinents, belonged formerly to Alexander Sutherland by inheritance, and now pertain to us, having lawfully fallen into our hands, by reason of forfeiture, and execution of the said Alexander Sutherland, convicted of treason. Given, &c. at Inverness, on the 4th day of November, A.D. 1499, and 12th of our reign."—*Great Seal Register*, B. 13. No. 579. The

add, that Sutherland and his ten associates were all executed. Some writers have supposed, not only that all the lands mentioned in the charter, had previously belonged to Alexander of Dirlet, but that all of Mackay's lands had formerly belonged to the Earl of Sutherland, which Sir Robert Gordon himself never alleges. Scolstarvet, in his Collections, says, "In 1499, November 4th, James granted the lands of Far, and others in the north-west extremity of Scotland, to Odo *alias* Y-Mackay, in Strathnaver, for taking Alexander Sutherland and ten other rebels." There is no mention in the charter, of the lands of Far, and Mackay is not designed *in*, but *of* Strathnaver; and Douglas, who is not more correct in this particular, states in his Peerage, that "the lands had belonged to Sutherland, and laid the foundation of the power of the Mackays." That foundation was laid, and their power was well known, and many ways felt, for some centuries before.

The following articles are contained in an inventory of the Duffus titles recorded in the Sheriff-court books of Caithness: "Charter by Thomas Kinnaird of Colbuy to Odo Mackay of Strathnaver, of the lands of Muchell, &c. dated 3d April 1505." "Charter by Angus Murray of Pangadell, in favour of Odo Mackay of Strathnaver, of the lands of Skelbo," date not mentioned.

Iye Mackay was in great favour with King James IV. who reposed great confidence in him. Torquil Macleod of Lewis was, as appears by the parliamentary record, forfeited 3d February 1505-6. The Sheriff of Inverness had summoned him at that town, 24th December preceding, after he had found that he could not approach his person. The king's letters were afterwards issued for his apprehension, and sent

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sasine which proceeded on this charter, is in possession of Sir John Sinclair of Ulbster, Baronet, who has permitted the author to take a copy of it. It is dated 17th April 1500.

"*A.D.* 1501, *March* 1*st.* To tua mene of Makyis that brocht prsoners to Striveline, be ye kingis command iiij$^{l.}$ iiij$^{s.}$—*Lord High Treasurer's Books.*

"*A.D. May* 13*th,* Item y^{e} xiii day of Maij, to ane man that brocht writings to ye King fra Y-Maky be y^{e} kingis command, xiiii$^{s.}$—*ib.*

to Mackay to be executed; he received a liferent charter to a great part of Macleod's lands.*†

Soon after this period a scheme was laid and executed by Adam Gordon of Aboyn, second son of the Earl of Huntly, for obtaining to himself the estate and earldom of Sutherland, which for many years occasioned great convulsions in the north of Scotland. The deep interest and concern which the Mackays had relative to this matter,—the losses they sustained in consequence,—and that circumstances are not fairly stated in Sir Robert Gordon's history, will, it is hoped, be sustained as a sufficient apology for bringing the same under review; and it may be added, that a review of these is unavoidable, so as to render the present work consistent with its title or design.

John, third Earl of Sutherland, as was said, was twice married; he had by his first wife a son John, and a daughter Elizabeth, who married Adam Gordon of Aboyn. He married, secondly, a daughter of Ross of Balnagown, by whom he had two sons, Alexander and George: and thus there were three persons betwixt Adam's wife, and the estate and earldom: but he resolved notwithstanding to have both. The circumstances in which he stood, and the changes which took place within a few years, as to persons and matters, were the most favourable for his views which he could desire. His mother was daughter of King James

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* "A.D. 1506-7. Jan. 3. Item to ane man passand to ye beschop of Caithnes wt ye king's lres for redding of yame passit in ye lewes wt Maky, xiiij.s—*Lord High Treasurer's Books.*

† "James, &c. Know that we, for the good, faithful, and gratuitous service to us by our beloved Odo Makky of Strathnavern done, and to be done in future, in the resisting and invading of our rebels, and otherwise as the same shall be required by us, according to all that lies in his power—have given and granted, and by the tenor of these presents give and grant to the said Odo, all and each of our lands of Assint and Ladachogith, with the pertinents lying within our shire of Inverness, with all the rents and produce of the same, for the whole period of his life, which lands now belong to us, and is in our hands, on account of the forfeiture of Torquellus Macloid late of Lewis, brought to justice on account of some crimes of treason committed by him against us. Given, &c. at Edinburgh on the 6th day of March, A.D. 1507 and 20th of our reign.—*Great Seal Register*, B. 14. No. 464. *Written in Latin.*

II. so that himself was the present king's cousin; his brother Alexander was Earl of Huntly, who, says Sir Robert, "Obtained from the king divers lands in Lochaber, and the sheriffship of Inverness heritably, together with the castle and castle-lands of Inverness, being then Lord Chancellor of Scotland." "This Earl Alexander was made the the king's lieutenant-general in the north of Scotland." He succeeded his father in 1501, and died in 1523. Adam's young son and apparent heir, was, by Huntly's advice married to Athole's young daughter, who also was the king's cousin; the battle of Flodden, in which the king and the flower of the nobility were slain, threw the balance greatly in his favour; James V. was then a child; his sister Margaret married Huntly, Adam's brother; John Stewart, duke of Albany, who had been educated in France, was appointed regent during the king's minority; he was a stranger to Scotland, and had to defend his regency against the queen, who was supported by the powerful Lords of Angus and Hume, and to secure an act of Parliament declaring him next heir to the crown, failing issue of James V.: in which circumstances he required the assistance of many friends. The bishops acquired great power, particularly after the battle of Flodden; Andrew Stewart, bishop of Caithness, whose principal residence was in Sutherland, was king's treasurer in the north of Scotland; he died at his castle of Skibo the 17th June 1518, and was succeeded by Andrew Stewart, Athole's brother.*

Adam's father-in-law, John III. died in 1508, and was succeeded by

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* Sir Robert.—*Sutherland case.*

Adam Gordon third son of the Earl of Huntly, was dean of Caithness, and died in 1528. Andrew Stewart, a natural son of the house of Inverneath, was bishop of Caithness from 1490 to 1518, when he died.

The next bishop was Andrew Stewart, son of the Earl of Athole, from 1518 to 1542, when he died.

He was succeeded by Robert Stewart, brother of the Earl of Lennox, who embraced the reformation, and died in 1586. Alexander, son of the Earl of Huntly attempted to obtain the see during bishop Stewart's absence in England. *Keith's Catalogue of Bishops.*

his son John. This John seems to have been of a pliant, unsuspicious temper; but that he was the idiot or impotent person which Sir Robert describes him to have been, appears not entitled to credit, otherwise it may be presumed that his father, who was a man of long experience, having been Earl of Sutherland for forty-eight years, would have appointed guardians for him, and settled the succession agreeable to his own mind. By professions of friendship, and proffers of service, Adam procured the young man's full confidence, till at length he assumed the principal share of management, and in the mean time was laying his measures to secure the whole earldom and estate to himself and family, to the exclusion of all others.

Sir Robert writes, "Adam Gordon now begins providentially to lay a foundation, whereby to settle that estate upon himself, and to his successors, by the laws of the kingdom; for besides himself, there was another that pretended some right to the earldom, and this was Alexander Sutherland, the bastard brother of this Earl John; which Alexander will give us occasion to speak of him in our following discourse."

In the first place, Adam took out brieves for serving his wife heiress to her father; but after the service was gone through, he was advised that it would be ineffectual, in respect that any right she could claim, must proceed from her brother John, "Who," says Sir Robert, "would be always esteemed to be his father's heir, until he was declared incapable to govern." This service took place 23d May 1509, before Adam's brother, Huntly, as sheriff of the county of Inverness, which at that time comprehended Caithness, Sutherland, and Ross. In the next place, Adam took out brieves for serving John heir to his father, in consequence of which, that service proceeded on the 24th July 1509. If John was an idiot, his brother Alexander, as representing him, had right to oppose his service; but as Alexander was then only eighteen years of age, he could not act for himself. This defect, however, was supplied by the sheriff, the Earl of Huntly, who appointed him the following curators: William, Earl of Caithness; John, master of Athole; Andrew Stewart, bishop of Caithness; Thomas Robertson, rector of Assint;

and William Spine of Tain. These curators offered no objection to the service on the part of their ward; but after conferences with Elizabeth Sutherland and Adam Gordon, they agreed that Alexander should renounce his *chance of succession* to the estate of Sutherland, for a yearly rent of forty merks to be paid him by Adam Gordon; but that it should return to himself, if Adam and his wife should have no heirs. The renouncing words, translated from the Latin, in which the instrument of resignation is written, are, "That the said Alexander renounced his right in and to the said earldom, in favour of the said John Sutherland and Elizabeth Sutherland, and their heirs, for a certain composition." And to fix Alexander the more firmly, he is taken bound to swear never to quarrel this transaction, and to renounce the objection of minority in all respects.

From Sir Robert's statements, one would think that Alexander was of age at the time, and had acted for himself; and he takes no notice of the oath, or of the composition. His words are, "In the mean time he (Adam Gordon) dealeth with Alexander Sutherland, and maketh him renounce and resign, in favours of his brother John and his sister, all right, title, or claim, which he had or might pretend to the earldom of Sutherland. This renunciation was made by Alexander the bastard, judicially, in presence of the sheriff of Inverness, the 25th day of the same month of July, the year foresaid, 1509." He is very liberal in bestowing the title of bastard on Alexander, but does not say that he was so designed in the renunciation; nor explain the sense of his being called upon to resign a nonenity, or a right which he had not, if he was illegitimate.

Sir Robert proceeds, "Although Earl John was thus retoured and served heir to his father the year foresaid, yet, upon some occasion, he was not infeft nor seased in his earldom, until the year 1512, whereby the earldom of Sutherland fell into a non-entry for the space of three years; during which time, Andrew Stewart, bishop of Caithness, and commendator of Kelso and Ferne, (being the king's treasurer in the

north parts of Scotland) did compound and agree, in his majesty's name, with Adam Gordon, for the non-entry of the earldom of Sutherland."

"Earl John being now not only retoured and served heir to his father, but also infeft and seased, and in the peaceable possession of the earldom, whereby all the right thereof was in his person, Adam Gordon, who did always present and manage the affairs of the earldom, begins, in name and behalf of his wife, to intend a process of idiotry against Earl John, as being incapable to govern or manage his affairs, and obtains a commission to the provost and bailies of Perth, to cognosce and judge the matter, which they do except; and by inquest upon the brieve, they decern him an idiot, and incapable either to give, sell, or dispone any of his lands in prejudice of his sister, Lady Elizabeth Sutherland, or her husband. So he being impotent, and having never married, the succession of that earldom, after his death, came whole and entire to them and their posterity. Thus ended the heirs male of the surname of Sutherland, which did govern that province a long time; and so it must now give place unto the surname of Gordon."*

But there is a different and more probable account of this matter of idiocy given in the Sutherland case. The statement there is, That Adam Gordon having got one brother to renounce his right in the estate, proceeded next with the other. In order to frighten Earl John, he took out a brieve of idiocy against him in May 1514, and went so far as to set a jury on him. But to stop the effect of this, Earl John judicially agreed to declare, that Elizabeth Sutherland and her issue, failing his own, should succeed to the estate; and to give his full and ample consent to such right of succession in an instrument then prepared, Earl John was farther prevailed upon to name Adam Gordon and another person his curators and managers. After these concessions, Adam Gordon proceeded no farther in the brieve of idiocy. Lawyers are of opinion, that, prior to the Act 18. Parl. 10. James VI., the

* Page 84. Lord Ruthven, the intimate friend of Lord Gray, Huntly's son-in-law, was provost of Perth at that time, and the town was at Athole's elbow.

king had the custody of those who were cognosced upon a brieve of idiocy; and it was therefore the safest way for Adam to obtain Earl John's consent to his measures.

Sir Robert states, page 85, that Adam Gordon had anticipated from Earl John's indisposition, that "the inheritance of that earldom, by the laws of God, and of the kingdom, was to fall to him and to his children, by right of his wife, Lady Elizabeth, the sister and only heir of Earl John." How far his conduct for securing that earldom to himself and to his children, was in accordance to both, or even to either of these laws, will be left to others to judge. That writer is silent, both as to the time and circumstances of Earl John's death; but it is mentioned in the Sutherland case, that he died in July 1514; and that upon the 3d of October following, his sister was served heir to him in his estate, without taking any notice of Alexander, as if he had been dead also.*† To save appearances, however, Alexander's attorney came forward to oppose his sister's service; but in place of pleading on the ground of proximity of blood, he founded his plea merely on a charter of entail, which he could not produce. This would at any rate imply, that there was a general belief at the time, that such a charter had existed; but whether it did exist, and if it did, what became of it, Adam, who was possessed of all the Sutherland titles, and his brother the chancellor, could best tell. Sir Robert is also silent as to who was then sheriff of Inverness.

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* "In 1515, June 30, by virtue of a precept issued from chancery, dated 24th October preceding, Elizabeth was enfeoffed in the earldom."—*Sutherland Case.*

† "Elizabeth Sutherland, Countess of Sutherland, was served heir-special into the said earldom to her brother-german, John, last Earl of Sutherland, at Inverness, the 3d of October 1514, before the principal barons of the neighbourhood, Thomas Fraser of Lovat, George Haliburton of Gask, James Fenton of Ogle, James Dunbar of Cumnock, Alexander Cumming of Altire, James Cumming of Stronside, Alexander Urquhart of Burchard, David Dunbar of Durce, Alexander Brodie of that Ilk, David Douglas of Pittendreich, Hugh Ross of Kilrack, Henry Davis of Comfra, William Davis of Bodwit, Alexander Strathan of Cullodden, John Corbet of Afford, John Vass of Lochline, William M'Culloch of Prorides, Robert Norvel of , and Thomas Paterson, burges of Inverness."—*Historical and Genealogical Account of Ancient Families of Scotland. MS. in Advocate's Library.* Mackintosh, Balnagown, or Mackay were not called to this service.

It may be mentioned, for the sake of such as have had but little opportunity to examine into these matters, that in the years 1767 and 1768, soon after the death of William, the last Earl of Sutherland, Sir Robert Gordon of Gordonstoun, great-grandson of the family historian, and George Sutherland of Forse, presented separate petitions to the king, anent their respective claims to the earldom of Sutherland, which the king referred to the consideration of the House of Lords. These applicants were opposed by the guardians of the Countess of Sutherland, now Marchioness of Stafford, who was then an infant. Chalmers says, "it was to Earl Willam who died in 1325, that the House of Peers adjudged the present Countess of Sutherland to be the successor, *as heir of his body*." The procedure in that business is termed *The Sutherland case.* It is said, but on what authority must be left to others, that the guardians of the young countess, should they not prevail on her behalf against the claimants, intended to resist them, by introducing a descendant of Alexander Sutherland as a claimant.

Notwithstanding the many and powerful friends on whom Adam had to depend, and all the legal securities by which he had fenced himself in the earldom, still there were thorns beneath his pillow. "Adam, Earl of Sutherland," says Sir Robert, "foreseeing great troubles likely to fall forth in his country, he entered in familiarity and friendship with John Sinclair, Earl of Caithness, this year 1516, at which time Earl Adam gave unto the Earl of Caithness, who was the near cousin of his wife Lady Elizabeth, the ten davochs of land that lie upon the east side of the water of Ully (Helmsdale), for assisting him against his enemies, as doth appear by some of these writs yet extant."* The inventory of Caithness writs contains the following: "Charter, Elizabeth Countess of Sutherland, to the Earl of Caithness, of the lands of Helmsdale, &c. called Strathulzie, anno 1513." "Charter, by Elizabeth Countess of Sutherland, to the Earl of Caithness, of lands in Helmsdale, anno 1516."

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* Page 89.

The first of these charters was granted to the Earl of Caithness, immediately upon his accession to his father's dignity and estate, after the battle of Flodden, in order to secure his support as early as possible: but at the same time, as the lands were not hers till the following year, when her brother John died, the other charter was afterwards granted.

"Earl Adam thought now fit," he goes on to say, "to marry his eldest son, Alexander Gordon, master of Sutherland, although he was young as yet, that so, by some good alliance, he might be the better established in his estate, having so many enemies. And therefore, by the advice of the Earl of Huntly, he married him to Janet Stewart, the daughter of John, Earl of Athole, by the Earl of Argyle, his daughter."

"The year 1518, Adam Earl of Sutherland gave unto John Murray of Aberscors (Shiberscross), for his two sons, Hugh and Thomas, the ward and marriage of Janet Clyne, and of her sister Elizabeth, the daughters and heirs of William Clyne of Clyne: all which and more, did John Murray and his children deserve at Earl Adam his hands, for their good service in defence of his earldom and country."

Alexander Sutherland had married a daughter of Iye-Roy Mackay, but at what period, Sir Robert does not say. By this alliance the Mackays were imperiously called upon to support him: but in order to weaken their power a little within Sutherland, Sir James Dunbar of Cumnock, who was in great favour with Adam, obtained a reduction of that part of the royal charter, granted to Iye Mackay, which regarded the lands of Golspy, Kinnald, and Kilcalmkill, on the ground, that prior to Sutherland of Dirlet's forfeiture, these lands had been comprised by Sir James; but apparently without giving Mackay an opportunity to redeem them, by discharging any debt by which they might have been affected. These lands, however, were afterwards restored to the house of Mackay, as shall appear in the sequel.

"Hereupon," Sir Robert states, "Alexander Sutherland, the bastard, beginneth a great stir and insurrection in Sutherland; repenting

himself (but too late) that he had made a renunciation at Inverness, the year 1509, in favours of his brother Earl John, and of his sister Lady Elizabeth. Earl Adam offered unto the bastard many good and reasonable conditions, which were all by him refused. Ambition, a reasonless and restless humour, made him obstinate against all offers of peace. The clans and tribes of the country were hereupon broken into factions. Alexander had gained a great favour amongst them. He made claim to the earldom, as one lawfully descended from his father, Earl John the third; because, as he alleged, his mother was handfasted and fianced to his father; that which he had done before at Inverness, was done negligently, and without the advice of his best friends. And so he would not yield to his sister Lady Elizabeth, but would resist Earl Adam and her, to the utmost of his power."

It is not a little surprising, that this writer, who possessed singular policy, and much sagacity, if he ever thought that his narrative would be made public, should relate so much of the ways and means by which his great-grandfather, Adam Gordon, obtained and secured himself in the earldom of Sutherland. It is pretty evident, however, that he would not have been so explicit, had not the principal matters he relates, been preserved in the public records. As to others he is not so free: such as the nature or degree of the imbecility he attaches to the fourth John, how long he lived, or how he died; who those enemies were who opposed Adam, or the grounds of their opposition, or the terms which were offered to Alexander.

Adam had many other, and more powerful enemies than the clans and tribes of Sutherland to encounter: such as the houses and friends of Duffus, Forse, and others descended of the house of Sutherland; the Mackays, Rosses, Macleods of Assint, and Munros; besides the Mackintoshes, Forbeses, Mackenzies and others, who dreaded the exuberant power and ambition of the Gordons. Adam must therefore gird on his armour, and prepare himself for the contest.

Iye Mackay was twice married, first to Margaret, daughter of Thomas,

fourth Lord Lovat,* by whom he had two daughters, one of whom married Angus Macleod, laird of Assint, and the other married Alexander, the heir of Sutherland.† Second, having had two natural sons, John and Donald, by one whom Sir Robert designs "a woman of the western isles," he married her in order to legitimate his sons;‡ and afterwards obtained from the king, a precept of legitimation in their favour,‖ the tenor of which warrants the conclusion, that their parents were married; for they are designed "sons of Odo Makky of Strathnavern," and not natural sons or bastards, as was usual, where the parents were not married. Some years before the date of that precept, Adam Gordon had been forming his plans to secure the earldom and estate of Sutherland to himself; and finding that Iye Mackay was opposed to his measures, he applied to his brother Niel-Naverach, promising to support his claim to the succession, as John and Donald were accounted illegitimate: which Iye Mackay having discovered, he banished his brother Niel and his family from his country; and as Adam was also courting the friendship of Caithness, Niel went thither to reside. It is highly probable, that it was after his discovery of the plot laid between Adam and Niel, that Iye

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* "The Manuscript of Culduthel says, that Iye-Roy Mackay married Margaret, daughter of Thomas, fourth Lord Lovat, who died 21st October 1524."—*Vide Anderson's History of the Family of Fraser*, P. 76-7.

In Douglas's Peerage he is called the third Lord Lovat.

This Thomas, Lord Lovat, and Sir John M'Ky, notary and presbyter, are witnesses to a charter granted by John Cuthbert of Auldcastle, to Robert Vaus, son of Gilbert Vaus, burgess of Inverness, of five acres at Castlehill of Inverness, 4th February 1506. This John Mackay must have been nearly related to Iye Mackay, for in those times, and long after, all the more remote branches of the family went under patronymic names.

† Sir Robert. ‡ Stewart-Hall Manuscript.

‖ "Precept of Legitimation of John and Donald Makky brethren, sons of Odo Makky of Strathnavern, &c. in due form, with new additions, &c. At Edinburgh, 8th August 1511, and of the king the 24th year."—*Privy Seal*, B. 4. Fol. 145.

The following, which is essentially different from the above, is of the form which was common where the parents of the grantees were not married.

"Precept of Legitimation, dated 27th May 1542, to William Makke and John Makke, bastard natural sons of Sir John Makke."—*Privy Seal*, B. 16. Fol. 34.

Their father probably was a priest, and of the Mackays of Galloway.

Mackay procured the precept from the king. Iye Mackay died about the year 1516, and was succeeded by his eldest son, John.

CHAPTER V.

JOHN MACKAY II. &c.

1516—1529.

No sooner had he taken up the succession, than he resolved to assist Alexander, his brother-in-law, to recover the title and lands of Sutherland. Although he was a minor when he had renounced his rights, and was therefore entitled to have the deed reduced; yet all the avenues to justice were so inaccessible, by reason of the power and influence of the Gordons, and their potent allies and friends, that nothing remained for him but to endeavour to obtain his redress by force. John Mackay and his brother Donald were powerful, brave and indefatigable, and there was none whose resistance Adam so much dreaded. He therefore thought his best measure was, if possible, to split them by a wedge of their own timber, as the second Earl Robert essayed with regard to their ancestor, Angus-Dow Mackay. With this view he and John, Earl of Caithness, advised Niel-Navarach Mackay, John's uncle, who, with his family, had been furnished with possessions in Caithness, to claim right to John's lands, under pretence that the latter and his brother were bastards, and they promised to provide him and his two sons with men sufficient for the purpose.

John Mackay and his brother, apprised of their designs, resolved to defeat them as they best could. John left his country under the management of his brother Donald, and went to Ross and Inverness shires, to con-

sult with the Mackenzies, Rosses, Monros, Mackintoshes, Forbeses, and others, whose interests were concerned not less than his own, and some of whom were his relations. He represented to them the danger they all were in, from the power and ambition of the Gordons; who, if they could prevail, as they intended, in the northern extremity of the kingdom, would the more easily subdue them; and that the chiefs were called upon, by the necessity and urgency of the occasion, to combine together for their mutual defence, and the maintenance of their rights; which, if they neglected, they would repent when it was too late. Sir Robert says, "Niel-Naverach being thus maintained by the Earl of Caithness, sent his two sons, with a company of Caithness-men, into Strathnaver, to invade the same, and to take these lands, by John Mackay and his brother Donald. John Mackay retired himself to the Clan-Chattan and Clan-Chenzie, leaving his brother Donald in Strathnaver. Donald, in his brother's absence, surprised his cousins (the sons of Niel-Naverach) and pursued them under night in Dall Naivigh, at the height of Loch-Naver, wherein he killed the sons of Niel-Naverach, with the most part of all their company." After this defeat, the Earl of Caithness wisely withdrew all farther assistance from Adam, knowing that to assist him was to endanger his own house. "Niel Naverach," he adds, "being forsaken by the Earl of Caithness, came into Strathnaver, and rendered himself to his nephews, John and Donald, who caused him to be apprehended and beheaded at Clash-ne-gep," i. e. *The Block Glen*. "Then John Mackay having settled his civil discord at home, turned his forces against Sutherland." He also mentions many severe and bloody conflicts which took place about this time betwixt the Gordons and their neighbours, especially the Forbeses and Mackintoshes, and between several other clans, some of whom took part with, and others against the Gordons; and also between some tribes among themselves, whom the policy of the Gordons had divided. But the Mackays were the principal actors and soul of the opposition made to the Gordons in that age; and although the latter ultimately prevailed in Sutherland, they purchased their conquests very dear. Indeed, had not that opposition then been

made, the Gordons would have subdued all Scotland north of the Grampian mountains, and then, who can tell where their conquests would have terminated?

It is not at all probable that Niel Mackay "rendered himself to his nephews," after being made a tool of to invade and deprive them of their property. It is not unlikely, that the Earl of Caithness, who, immediately after this invasion, had resolved, for his own safety, to withdraw all farther support from Adam, had either delivered up Niel to his nephews, or allowed them to apprehend him within his territory. This seems to receive countenance from what Sir Robert states. After mentioning, as before noticed, that Adam had given lands to John Earl of Caithness, "for assisting him against his enemies;" he adds, "which, nevertheless, the Earl of Caithness did not perform, but joined afterward with Earl Adam his foes." "This did the Earl of Caithness, envying and grudging that the Earl of Sutherland, or the surname of Gordon, should flourish in these parts, in prejudice (as he thought) of his family, whose greatness would be now eclipsed by the power of that house, being so near neighbours." Here he bestows largely on the Earl of Caithness such compliments as he usually gives the opposers of his family: but he might very well have spared them in this instance; for it is obvious that Caithness acted wisely, because, had he continued to assist Adam, it would have certainly and speedily brought his own house to ruin. The Mackays could not have stood before Caithness and Sutherland combined; and had they been subdued, Caithness would soon have fallen.

A variety of invasions made by John Mackay on different parts of Sutherland, are mentioned by Sir Robert; but he at the same time asserts, that Mackay was always repulsed with loss: which, however, seems very incredible, seeing that, according to his own account, Mackay was always the invader, except in one instance, by Adam's son Alexander: in which he however admits, that Mackay had, at the same period, invaded Sutherland: so that it is most likely that Alexander's invasion was in order to call Mackay back to defend his country. He describes

one rencounter in his usual gasconading manner, which he calls, "the battle of Torran-dow, in Strathfleet." Great slaughter, he alleges, was made of Mackay's men; and but few of the Sutherland side were killed. It appears, however, from his statements, that in the course of this warfare, Alexander was put in possession of the castle of Dunrobin, and that he kept it for some time. Adam thereupon, together with his family and friends, fled to Strathbogy, where they resided until, by Huntly's assistance, he was able to return with an overwhelming force.

In the meantime, Alexander, assisted as he was by his brothers-in-law, having slain some of the Sutherlands who had assisted Adam, and chased others of his opponents from the country, he became too secure, as if all danger was over, and was frequently seen, with a few attendants, strolling along the coast of Sutherland. "Earl Adam," continues Sir Robert, "sent before him Alexander Leslie of Kinniuvy with a company of men into Sutherland, to assist John Murray of Aberscors. Alexander the bastard was espied and seen upon the coast-side of Sutherland, ranging there at his pleasure, and negligently, whereof Earl Adam was presently advertised, who, having purchased the laws of the kingdom against him and his accomplices, he directed Alexander Leslie, John Murray, and John Seill-Thomas to hold the bastard skirmishing, until himself should come with greater forces. So on they went, with a company of resolute men, and met with the bastard at a place called Ald-quhillin by East Kentredwell, hard by the sea. There ensued a hot skirmish, wherein the bastard was overthrown and taken; all his men were either slain or chased. Then was the bastard presently beheaded by Alexander Leslie, in the very place where they had fought. His head was carried to Dunrobin on a spear, and was placed on the height of the great tower. For the witches had told Alexander the bastard, that his head should be the highest that ever was of the Sutherlands. "So ended the bastard, Alexander Sutherland."* *And so Adam killed and took possession!*

But this writer intentionally overlooked a similar story regarding

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* Page 96-7.

witches, in the case of his cousin, the Earl of Huntly, who was slain at, or rather died immediately after, the battle of Corrichy in 1562, which is related both by Knox, in his History of the Church of Scotland, and by Hume of Godscroft, in his History of the Houses of Douglas and Angus. The latter proceeds thus, "It is reported, that when Huntly saw his men routed, he asked of those that were by him, what the name of the ground was upon which they fought, and having learned that it was commonly called Corraghie, he repeated the name thrice, Corraghie! Corraghie! Corraghie! then God be merciful to me! The name of the place put him in mind of a response or oracle, (if we may so call it) which was given by a witch in the highlands, to whom he had sent to enquire of his death, and she had told that he should die at Corraghie. But whether the messenger or he himself mistook the word, he understood it of Creighe, a place which was in his way to Aberdeen, and which, riding thither, he did always shun, by reason of his soothsayers' speech; or if at any time he did adventure to go by it, he was sure to be well accompanied, and to have the fields cleared before. But this event discovered his mistaking. It was also told him by some of the same profession, that the same day on which he was taken, he should be at Aberdeen maugre those that would not so, neither should one drop of his blood be spilt. This seemed to promise him a successful journey: but the ambiguity thereof was cleared by his death, for he was indeed that night in Aberdeen, being carried thither upon a pair of creels or panniers, and that against the will of his friends, who would not have him brought in thither in such a guise. Neither did he lose any blood, but was chocked for want of breath."*—"When his lady got knowledge thereof," says Knox, "she blamed her principal witch called Janet; but she stoutly defended herself, and affirmed that she gave a true answer, albeit she spake not all the truth, for she knew that he would be there dead, but that could not profit my lady."†

Thus fell Alexander Sutherland, the true and rightful heir of the earldom and lands of Sutherland, which had been possessed by so many

* Ed. 1644. P. 285. † Page 103.

earls his lawful progenitors; and thus did the Gordons succeed to that earldom and these lands. Sir Robert remarks, as was before noticed, that the Divine displeasure was manifested in cutting off the Sutherland line, to give place to the Gordons, because of the mal-practices of the third Earl John: But he makes no such remark when he narrates, "This Adam Earl of Sutherland, and his brother, Alexander Earl of Huntly, did both live to bury their eldest sons, gentlemen of singular hope, and of great expectation, which offices, by course of nature, they should have executed to their fathers."* Here, in the course of Divine providence the right arms of Huntly and Sutherland were cut off; nor did the Gordon dynasty continue very long in Sutherland; it ceased legally near the beginning of the eighteenth century, when the eighth John obtained permission to resume the name and arms of Sutherland.

"Alexander Sutherland," Sir Robert states, "had, by John Mackay's sister, a son named John, whose son William married a daughter of Gilbert Gordon of Garty, by whom he had Alexander Sutherland of Kilphedder, who married Margaret, daughter of Donald Mackay of Scoury." This Alexander had by that marriage a son, William of Kilphedder, who had three sons, Hugh, Angus, and William. Hugh and Angus were officers in the army, and died without issue. William, by his wife Jane Mackay, had a son, Hugh, who, by his wife Margaret Gun, had a son, William, who now lives in Edinburgh, an old man, and has lawful issue.

It cannot be supposed that such of the name of Sutherland as were possessed of family feelings could remain unmoved spectators of the degradation which Adam Gordon had brought upon them. After what may be justly termed the murder of Alexander, the heir,—the laird of Duffus was the most powerful of the name of Sutherland: he was descended from Nicolas, the youngest of the two sons of earl Kenneth; and was possessed of lands in Murray, Caithness, and Sutherland. Sir Robert writes, "Andrew Stuart, bishop of Caithness, upon some conceived displeasure which he had received, moved the clan Gun to

* P. 103.

kill the laird of Duffus in the town of Thurso in Caithness. Upon this accident the whole dyocese of Caithness, (i.e. Caithness and Sutherland) was in a tumult. The earl of Sutherland did assist the bishop of Caithness against his adversaries, by reason of alliance, contracted betwixt the houses of Huntly, Sutherland, and Athole. There were great and honourable offers made to the laird of Duffus his son, by bishop Andrew, for satisfaction of his father's slaughter; such as the heritable constabularie, with the feu of the lands of Skibo, and the heritable balliarie of the bishopric of Caithness: all which he did refuse, and caused charge the bishop to compear before the justice at Edinburgh. Whereupon Andrew retired into Athole, and by the means of the Earls of Huntly, Sutherland, and Athole, together with the young king's favour and grace, the matter was then prorogate, and the day of the bishop's appearance before the justice was delayed until another time."

"Thereafter one Alexander Gray, vicar of Far, bishop Andrew Stuart his servant, had some occasion of business to go visit his master into Athole; and passing through Elgin of Murray, where Alexander Sutherland, dean of Caithness, (the late slain Laird of Duffus his brother) was for the time, the dean and his nephew violently apprehended the said Alexander Gray, and carried him prisoner along to the house of Duffus. Whereupon, bishop Andrew sent John Gray of Skibo south to Edinburgh, and caused him summon and charge the Laird of Duffus and his uncle to set Alexander Gray at liberty, and also to compear personally before the council at Edinburgh, to answer for taking and warding the king's free subject without a commission. The laird of Duffus, and his uncle the dean of Caithness, compearing at Edinburgh, were put in ward, and there detained until they should either abide the censure of the council for taking of the said Alexander Gray without a power to that effect, or else agree with bishop Andrew, and discharge unto him and his servants the slaughter of the late laird of Duffus: which in end they yeilded to remit, and also to release Alexander Gray."*

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* P. 102-3.

These were the times to obtain justice! and this was a historian who, coolly and without blushing, could narrate such misdeeds of his own relations, and that too in an exulting mood! For he adds, that Duffus and his uncle, when they found the issue of matters, had repented of their having refused the offers which had been made them; or, in other words, young Duffus repented that he did not sell his father's blood, and compromise his murder! No, he did nothing of the kind, but what he was compelled to, by the iron hand of oppression, in absence of justice.

This narrator does not mention the cause of the displeasure which the bishop conceived against Duffus: from which it may be inferred, either that it was frivolous, or that he had some design in concealing it. But doubtless it may be traced to the opposition he had formerly made, and was still making to Adam's measures; and that, with the Mackays' assistance, he was endeavouring to have the earldom of Sutherland restored to the right heir, who, after the death of Alexander, was his son John, before mentioned; and because Duffus and the other Sutherlands, on the one hand, and the Mackays on the other, were too formidable for Adam,—his vassals, the Guns, at the good bishop's desire,—himself close in the shade,—must butcher Duffus in Thurso, in cold blood. It seems probable that Gray, the vicar, was one of those who were concerned in the murder, otherwise it cannot be credited that young Duffus and his uncle would have imprisoned him. But even supposing him to have been innocent, there was no parity between his detention and the murder of Duffus: but for this minor delict, young Duffus and his uncle the dean, are summoned to compear personally before the council, which, had they disobeyed, they had been denounced rebels and forfeited; and because they answered, they were imprisoned: and nothing was less intended than to hasten their trial. On the other side, the bishop was guilty of the highest crime of murder: but his trial was postponed *sine die*, and himself left at his full liberty. But that was not all. These upright and impartial dispensers of justice put in the option of the uncle and nephew, either to remain quietly in jail un-

til it pleased them to bring them to trial; or to remit the murder to the worthy bishop: for that private remission was of itself sufficient to relieve the crown and council of all responsibility, and to white-wash them and the bishop from the blood of the murdered! And not only so, but the council, by this alternative, declared upon the matter, that the detention of Gray was a crime paramount to the murder of Duffus, without putting the expenses and imprisonment of the uncle and nephew at all into the scale! What a blessing to Scotland that the day of reformation was then about to dawn! It is not the least of its public defects, that it never has been sufficiently grateful for that blessing and its consequences.

Sir Robert states, that the same year, 1529, in which Duffus was murdered, John Mackay had invaded Sutherland. This would seem to afford some ground to believe that Duffus had gone to Caithness to raise men to assist Mackay. He does not allege that he met with any opposition at this time, but that he was seized by sickness, and returned: but it is not less likely that he returned upon hearing of the tragical end of Duffus.

But the bishop fled to Athole for shelter. From whom did he flee? or who was he afraid of, if Adam and his son Alexander were so powerful as this writer affirms? It could not be the Earl of Caithness; for he had gone in May of that year on his fatal expedition to Orkney. There was none else excepting John Mackay from whom he had cause to fear. He says that John Mackay encamped at Skibo, which was the bishop's place of residence; and this may lead to suppose that John was then in pursuit of the murderer, and that it was at that time that he made his escape.

It was just now hinted, that in May 1529, John Earl of Caithness went on an expedition to Orkney. He was accompanied by five hundred men. Various causes are assigned for that invasion. Some say that he went to assist Lord Sinclair of Ravenscraig, to recover the Orkney islands, of which William, grandfather of this Lord Sinclair, had been deprived. Others, with more probability, state, that it was to seize

certain lands in these islands, which had been held from the kings of Denmark, by the family of Sinclair, under the udal tenure, which were not affected, either by the conveyance of Orkney and Zetland in pledge to the crown of Scotland, or by the exchange of the earldom of these islands for Ravenscraig and others:—Not by the former, because the udallers of Orkney and Zetland were, after the pledge, the same as before,—still under the Norwegian laws and customs, with regard to their holdings, which were very different from those of Scotland. Those udallers possessed from one generation to another, without any charters or infeftments, and they merely paid scat or land-tax, which is the same as tribute, to uphold the national expenditure; but they were independent of any superior, and exempted from all symbols of vassalage connected with the feudal system: And not the latter, because by the exchange, the earldom and its appendages alone, but no part of his private property, was conveyed by William the grandfather, son of the chancellor, to the crown of Scotland; nor could his forfeiture affect his udal property, for which he owed no service to that crown, farther than the tribute formerly due to Denmark. The udal tenure subsists in some of these islands at the present time.

Neither does it appear whether, or how far the crown of Scotland opposed those Sinclairs' claims. It would rather seem that the people of Orkney, led by Sir James Sinclair, a natural son of the family, and governor of the castle of Kirkwall, opposed the Earl of Caithness and Lord Sinclair, without any authority from government. Countenance is afforded to this supposition, from the circumstances, that Sir James, in order to avoid a prosecution for the slaughter of the Earl of Caithness and his men, is said to have thrown himself into the sea, from an impending rock at Deerness, called *the Gloup of Linkness;* and that a respite, which is now in the custody of Mr Laing of Papdale, was procured for Edward Sinclair of Stroma, and others who assisted Sir James. It is also probable that Earl John and Lord Sinclair had each an interest in claiming the property belonging to their predecessors, which, by the udal tenure, did not fall to the eldest son, but was divided among

all the children of the family. But why the descendants of those noblemen, if they had a tenable claim, did not assert the same in a legal manner, is a question which must be left to others to determine.

The Caithness-men were overthrown by the islanders at Summerdale near Stennes, about four miles north-east from Stromness. The Earl of Caithness, and most of his men, were slain, and Lord Sinclair was taken prisoner. The Earl's head was brought back to Caithness by the few who escaped. This gave rise to an imprecation, which is to this day used in the north highlands, *Shuil mhorer Gaol do' Arcu dhuit, gun hian dachi ach en cann*, i. e. "I wish you Lord Caithness's journey to Orkney,—only the head to return." He was accompanied by a William Sutherland from Berridale, a young man of gigantic stature, who, previous to his setting out, having entertained a presentiment that he would not return, stretched himself on the ground, and caused two large stones be fixed, one at his head and the other at his feet, which still remain there, and the distance between them is nine feet three inches: it fell out according to his preconception,—he was slain in Orkney.

Pinkerton has the following foot-note, "An action at Armagh, between the Macdonalds of Scotland, and the O'Niels in 1501, is recorded by Ware. O'Donnel had requested James to send John, son of Alexander Mackeane, as leader of the 4000. A palpable chasm in the genealogy of the Mackays, *Douglas' Peerage* 569, may hence be supplied."* Abercromby writes, "One Odo Odongiel, (Odo O'Donnel) a great man among the natives, (of Ireland) whose father had entered into a league offensive and defensive, (I know not whether with this James the Fourth, or his father,) had, it seems, a mind to assert the liberty of his country, with his sword in his hand; and not doubting but that King James would concur towards that enterprise, he sent Æneas MacDowal from the town of Drumangeil (Donegal) to the court of Scotland, with orders to acquaint the king of his father's death, and by virtue of the league, to require a supply of 4000 men, under the conduct of John the

* History of Scotland, vol. 2. p. 59.

son of Alexander Mackeane."* And Sir Robert says, "The 1st of June 1513, the great Oy-Doneil of Ireland came to King James the Fourth at Edinburgh, offering his friendship and service to him, above all other princes, and especially against the King of England; whereupon he was thankfully received, honourably entertained, and richly rewarded. And so a band of friendship being with him concluded, he returned into his own country."†

For proof of what Pinkerton had stated, as above quoted, he refers, page 317, to a letter dated September 1532, from the Earl of Northumberland to King Henry, wherein he informs him, "That Mackay had gone to Ireland with 7000 men, and another thousand had been recently added; that their ravages were great, though it was doubtful if they fell on Henry's subjects; that Argyle and Crawford might easily be won to the English interest, and Bothwell delivered without indemnity, James having taken from Argyle and his heirs, the government of the Hebrides, and many lands there, and in the extremity of Scotland, which were granted to Mackay." In a foot note he adds, "James had also taken from Crawford some lands in the isles, and assigned them to Mackay."

It appears difficult to understand these statements, or to ascertain the persons to whom they apply. None of them seem to refer to this John Mackay, who must have been too young in 1501 to command an army, and he died before the year 1532. "Thus, within the compass of one year," (1529) says Sir Robert, "died the Earl of Caithness, the Master of Sutherland, John Mackay, and the laird of Duffus; great changes truly, in the diocese of Caithness!"‡

John Mackay left two daughters, and a natural son called John-More, or *big-John Mackay*. One of his daughters married Hugh Murray, laird of Aberscors (Shiberscross), and the other married Gilbert Murray, laird of Pulrossie, who was slain at the battle of Pinkie in 1547. Having left no lawful son, he was succeeded by his brother,

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* Vol. 4. P. 341. † P. 85-6. ‡ P. 103.

Donald Mackay, 1529—1550.

This Donald appears to have been a great favourite with King James the Fifth. He was also on friendly terms with George, Earl of Caithness, who succeeded upon the death of his father Earl John in 1529. Even Sir Robert himself calls Donald "a politic and wise gentleman, and a good soldier and valiant captain;" but he inexcusably conceals several important matters concerning him, which he could not be ignorant of. If it be pled for this historian, that such lay out of his way; it is answered, that as to some of these matters, they did not; and as to the rest, he has in numberless instances gone farther aside, in order to fetch a stroke, or fix a stain on the Mackays. Donald, like his father, was assiduous in suppressing disorders in the north parts of Scotland. He obtained a charter of his father's lands from the king, dated 16th December 1539.* He and his followers were present in the engagement at Solway-moss, and returned with the king to Edinburgh, three days

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* "James, &c. Know, because we have clearly examined and understood, that the late Odomus M'Ky *alias* Y-M'Ky, father of our much beloved Donald M'Ky of Strathnaverne, and his predecessors, were infeft in all and each of the lands under written, viz. lands of Far, Armidill, Strathy, Reneve, Kynauld, Golseby, Dilret, Cattack, Bronich, Kilcalmkill of Strathbroray, Davoch Lochnaver, Davoch Ereboll, and two-tenths of land of Stromay, and the Miln of Kynauld, the island of Sanday (Handa), the island of Hoga (Hoan), extending to two-thirds of land, Melness and Hope, with miln-lands, miln-multures, fishing-waters, and pertinents of the same, lying within our sheriffdom of Inverness, &c; and because the lands above mentioned, now in our hands by non-entry, forfeiture, bastardy, escheat, neglect, prestation, disclamation, or some other cause, are open for us and our successors, to remit and exonerate to the said Donald, his heirs and assignees, to transfer the rights of the said lands to themselves for ever: We therefore have given and granted, &c. At Stirling, the 16th day of December 1539, and 27th of our reign."—*Great Seal Registher.* The above is a translation.

Sir Robert states, that the charter granted to Donald's father in 1499, was the first to any of the family of Mackay; but this charter to Donald himself, proves that his father's *predecessors* were infeft in their lands.

after, who gifted to him the property of sundry absentees from the army.*

Sir Robert pronounces an eulogy on the memory of Adam Gordon, but how far just, his conduct is the best criterion to judge by. "Now we have ended the life of Adam Gordon, Earl of Sutherland, who was a very provident, valiant, and wise man; herein much to be praised, that, having found the succession to the earldom in the possession of another surname, he wisely and circumspectly settled the same upon his own surname and posterity," &c.† In the sequel of his book, he spares no pains to blacken the Earls of Caithness, who no doubt had their faults; and seems to glory over the trouble and calamities in which they were involved, not obscurely hinting that the causes of these were their measures taken against the house of Sutherland, and plainly asserting that they fell on them in divine retribution. He forgets, however, to make any similar remarks as to any of Adam's posterity, though he relates several matters concerning them, which would warrant his doing so, not much less than in the other cases: such as that, besides the premature death of his son Alexander, his other son and successor, Earl John, was first opposed by his step-father, Sir Hugh Kennedy, and afterwards, together with his lady then pregnant, poisoned by his uncle's wife, who was his own cousin-german; and that thereafter the Earl of Caithness, aided in some of his proceedings by the Earl of Athole, became a severe scourge to the house of Sutherland.

Of all the invasions made by the Mackays upon Sutherland, (and according to Sir Robert they were many) he uniformly lays the blame on

* "A letter made to Donald M'Ky of Far, his heirs and assignees, one or more, of the gift of all goods, moveable and immoveable, debts, tacks, steadings, obligations, sums of money, and others whatsoever, which pertained to Kenneth M'Kenzie M'Hustan, Donald Henryson, Angus Henryson, Finlay Clark, Kenneth M'Anroy, Thomas Johnson, and John Gallioch, and now pertaining, or any ways shall happen or may pertain to our sovereign Lord, by reason of escheat, through the being absent, and remaining from our sovereign Lord's host and army, convened and gathered at Lauder, conform to the tenor of his highness's letters, proclamations, and charges made thereupon, with power, &c. At Edinburgh, the 28th day of November, the year of God 1542."—*Privy Seal Record.*

† Page 106.

them, but seldom mentions the cause, and never gives the true one; and the Mackays, if he be credited, are scarcely at any time victorious, and yet they are always the invaders. He states, that there was peace between Sutherland and Mackay from the death of John Mackay, in 1529, until the year 1542, "when," says he, "Donald Mackay came with a company of men to the village of Knockartel, burnt the same, and took a prey of goods from Strathbrory," but which, he says, was soon recovered; and that in a little time thereafter, Donald invaded Sutherland, marched as far as Skibo, and encamped there: But with respect to the grounds of either of these incursions he is profoundly silent, and therefore they must be otherwise sought for. And as Donald had the character of quelling disorders and rebellion in the north, the blame cannot, without better evidence, be attributed to him.

George, the fourth Earl of Huntly, who died at Corrichy, as has been noticed, succeeded his grandfather Alexander in 1523, being then only ten years old. His mother was daughter of King James the IV. His uncle, James the V. in 1535, appointed him governor of Scotland during his nine months absence in France; and he was retained in favour until 1542, when he fell under his uncle's displeasure at Fala-Kirk: but as the king died on the 13th December, nineteen days after the battle of Solway-moss, that displeasure and its effects died with him. In 1544 the Earl of Arran, governor of Scotland, made Huntly lieutenant of the north of Scotland, beyond the Grampians, together with Orkney and Zetland. He was the most powerful, politic, and sanguinary that ever was of the family of Gordon. His character and transactions, as also the occurrences in the north during his time, are taken by Sir Robert from the following authorities, namely, Hollinshed, Francis Thin, Leslie bishop of Ross, and traditionary stories. The two former, however respectable, are, from their distance and other causes, not accurate as to many Scottish affairs; Leslie, a popish writer and turncoat, biassed in favour of Huntly as leader of the opposition to the Reformation, a virulent enemy to the Reformers, and whose book was printed in Rome, is unworthy of credit; and these three writers lived after Huntly's

time. On the other hand, Knox and Buchanan, men of strict probity and immortal fame, to whom their country owes an everlasting debt of gratitude, were Huntly's contemporaries, and well knew his character, were eye-witnesses of some, and had the best opportunity of knowing others of his public transactions. From them, and from other authentic sources, and from Sir Robert's own narrative, a tolerably fair detail of matters may be given with respect to him, and to the Mackays and others.

The reason why Donald Mackay invaded Sutherland, may be discovered from the following: About the year 1542, Scotland was much agitated by the disputes between Arran and Lennox regarding the regency, until the latter, by the court intrigues both of Scotland and France, was forced to flee to England for refuge. But previous to his going thither, he had sent his brother, Robert Stewart, bishop of Caithness, and some other friends, to that kingdom, in order to discover how Henry stood affected towards him. Sir Robert states, that whilst Matthew, Earl of Lennox, abode in England, "Robert Stuart, bishop of Caithness, was sent by King Henry into Scotland, to receive the castle of Dumbarton from the captain thereof, in Earl Matthew his name. But the captain, before his coming, by the means of the Earl of Huntly, had delivered up the castle unto the governor; who, notwithstanding, restored Robert Stuart unto his bishopric which before he had lost by going into England with his brother Earl Matthew. This bishop Robert Stuart gave the lands of the bishopric of Caithness in feu to this John, Earl of Sutherland, and then again he confirmed the same afterward to his son Earl Alexander, the nephew of bishop Robert.

"Whilst bishop Robert Stuart was banished into England, Alexander Gordon (as you have heard) was designed to be bishop of Caithness, and to possess the same. In the meantime the Earl of Caithness and Mackay, perceiving the civil dissension of the state, and knowing that this bishopric stood in controversy, they did possess themselves with the bishop's lands and rents, under pretence of Bishop Robert his right, whom they well knew to be so far from them, as that

he would not seek an account of the profits thereof. And thereupon Mackay came into Sutherland with a company of men out of Strathnaver, took the castle of Skibo, fortified the same, and left Niel Mack-William (one of the Sleaght-ean-Aberigh) to keep it. George, Earl of Caithness, took in like manner the castle of Strabister (Scrabster), another house of the bishop's, and possessed the same."*

It is not difficult now to see how matters stood. Huntly contracted and afterwards married his eldest son Alexander to the regent's daughter, who appointed him lieutenant of the north, of which he was heritable sheriff. Lennox having, against the advice of his friends, left the strong castle of Dumbarton, he gave it in charge to George Stirling: but, by Huntly's means, it was recovered to the governor Arran. Huntly then used all his interest with the governor to obtain the bishopric of Caithness to his brother Alexander, imagining he could easily accomplish it, as Bishop Stuart had been, though falsely, accused of joining Henry against Scotland, along with his brother Lennox. It would appear from Buchanan, and also from Hume of Godscroft, that neither Lennox nor his brother took any part or had any designs against their country: for the best patriots of Scotland were on their side; and those against them were Arran, Huntly, and the French faction. Bishop Stuart, in the meantime, to escape these enemies, took shelter in England, having left the lands and rents of his bishopric in Sutherland under the management of Donald Mackay, and those within Caithness under that of George Earl of Caithness, as they were the only persons into whose hands he could with safety entrust them. It is not at all probable that Bishop Stuart feued the bishopric to Earl John until some time thereafter: because Huntly and Sutherland, who were in some measure linked together, would naturally forward the views of Alexander Gordon; and to entrust either of them, or allow them to have any concern with the bishopric, would be "to give the fox the lamb to keep."

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* Page 111.

By procurement of their enemies, an action of treason was brought before Parliament, against Lennox and his brother the bishop, upon the 9th of September 1545, which was continued from one session to another, until the first of October. In the interim, Cardinal Beaton, who was then chancellor, in order to disappoint Huntly and his brother Alexander, brought the complaint against Bishop Stuart before himself as his judge ordinary; and upon the first of October, the cardinal made protestation before Parliament, that in respect the bishop was a spiritual man, his cause was competent only to him as his ordinary; upon which Parliament dismissed the action.* Stuart was soon thereafter restored to possession of his bishopric. These transactions explain the causes of Mackay's incursions into Sutherland, and his taking the castle of Skibo; and discover that they were made in order to execute the trust which the bishop had committed to him.

The castle of Skibo having been for some years in Mackay's possession, Huntly sent a kinsman of his own, and a fit instrument for any base or dirty piece of work, Captain James Cullen, to besiege it, and furnished him with a strong body of men and artillery for that purpose. Sir Robert says, that the Earls of Huntly and Sutherland, being at Edinburgh at the time, directed Cullen with all diligence before them to Sutherland; and that the Mackays hearing of his approach, with the men of Sutherland whom he had collected at Dornoch, conveyed themselves secretly out of the castle and fled to Strathnaver. Cullen's advance was sudden, and as the distance from Skibo to Tongue, which is about sixty miles, did not permit Niel Mackay's sending notice to Donald, so as he could come to his relief, it was most advisable to retire, and thereby save both the keepers and the castle from destruction.

Copying from bishop Leslie, Sir Robert calls this Cullen, "a gentleman most expert in all warlike discipline, both by land and sea." But Hume of Godscroft writes differently of him. Describing the conflict at Leith, betwixt Morton on the regent Lennox' side, and Huntly on

* Scots Acts of Parliament.

the queen's part, in 1571, in which the latter was defeated, he proceeds, "James Cullen, captain of a foot company, and a kinsman of the Earl of Huntly, had hid himself in a poor wife's aumery, and being found, was drawn out from thence by the heels, and brought to Leith. There, so soon as the people saw him, they made a great noise and clamour, desiring that he might not be spared, but punished according to his deserts; for in the time of the civil war at home, he had behaved himself both covetously and cruelly, more like a thief and robber, than a captain or generous soldier; and abroad in France, he was very infamous and vile for many base pranks he had played there; and in the war betwixt Sweden and Denmark, he had taken money of both kings to levy men, and promised to aid both, but performed to neither. For these things, besides many more foul and horrible crimes which he had committed, he was publicly executed, to the great contentment of all the commons."

The Earl of Sutherland had married a sister of bishop Robert's, no doubt, by Huntly's advice, by which an alliance was formed between them; and it is most likely that it was after this marriage that the bishop let his lands in tack or feu to Sutherland; and perhaps at the same time assigned him the rents which had been uplifted by Caithness and Mackay. The latter seems to be implied in Sir Robert's statement. "Thereupon the Earls of Huntly and Sutherland coming north into Sutherland, they did summon the Earl of Caithness and Mackay to compear before them at Helmsdale, to answer for their intromission with the bishop's rents, and for the wrongs which they had done, and caused to be done upon the bishop's lands. The Earl of Caithness compeared at the time and place appointed, and yielded himself to their mercy. So, having made a final agreement with them at Helmsdale, he returned again into Caithness. Donald Mackay was also at this time brought to the Earls of Huntly and Sutherland, who (upon Mackay's submission) pardoned him what was past; yet he was at their command imprisoned in the castle of Foulis,"* "where he continued a good while

* P. 112.

in captivity; from whence he escaped by the means of Donald Mack-ean-voyr, (Mackay) a Strathnaver man, who advised him to flee away."* The Earl of Caithness *came*, but Donald Mackay was *brought*. Does he mean, or would he have it understood, that a party went to Tongue, and took him per force to Helmsdale?

Finding that they were unable to accomplish the ruin of Donald Mackay by other means, his enemies betook themselves to their bastardizing system, pretending, as Sir Robert states, that Donald and his brother John were illegitimate. It has been seen that both these brethren had been declared legitimate; that John, as eldest son, possessed his father's lands till his death; and that not only did Donald possess them from that period in right of his brother, but he also obtained a royal charter of them, in right of his father, as the charter itself expressly mentions, which proves him to have been a lawful son.

Robert Stewart, bishop of Caithness, as has been said, was brother-in-law of the Earl of Sutherland. This good bishop obtained from the crown, a gift of the far greater part of Donald's lands, on the pretended ground that he was a bastard; and in order to appease the laird of Duffus regarding his father's murder, and to recover his friendship to the house of Sutherland, the bishop conveyed to him that gift. But that conveyance was soon after set aside by James Dunbar, Earl of Murray, as arbiter in a submission between Duffus and Mackay, which also shews that such gifts, from first to last, of Mackay's lands, were surreptitiously obtained, and upon false grounds. But these deeds were, notwithstanding, afterwards made handles of to injure Donald's son and successor, as shall appear.

Next to the Mackays, the Mackintoshes, or clan Chattan, were the greatest bar to the measures of Huntly and Sutherland in the north of Scotland, and therefore their chief also must be put down. "Huntly," says his relative, "commanded William Mackintosh, chief of the family of the clan Chattan, to be apprehended for a conspiracy secretly contrived

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* P. 107.

and begun by Mackintosh against him, being the king's lieutenant in the north parts of the kingdom, saith Leslœus," (Huntly's *clawback*, says Knox) " and then depriving him of his goods, carried him to Strath-bogie, where he was beheaded: Which fact greatly offended the minds of the Earl of Cassillis, the prior of St Andrews, afterwards Earl of Murray, and others that favoured Mackintosh, and did stir them so against Huntly, that a commotion and tumult had been raised by them, unless the wisdom of the queen regent had appeased the fury of their minds."

This affair is not fairly stated. Buchanan, who lived at the time, and knew all the parties concerned, gives a different account of it. Huntly, by the authority of the queen regent and council, had engaged to pursue John MacDonald of Moidart, chieftain of the clan Ronald, and Donald Gorme Macleod of Lewis, with their followers, against whom several complaints had been made: but it was afterwards found that he had failed to execute his commission, as was believed, from partiality to the offenders, who had been useful in forwarding his own measures.* He laid the blame on young William Mackintosh and his clan, accusing them of having been the cause of his failure, and he apprehended and imprisoned him, and seized his goods under that pretence: but the true reason was, because Mackintosh would not consent to become one of his followers, regarding which, it is probable he was advised by his

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* 2d June 1554. Ordinance, that the Earl of Huntly raise an army of the queen's lieges from the water of Dee, to pass with fire and sword to the utter extermination of the clan Rannald, Donald Gorme Macleod of the Lewis, and their complices, that sends not and enters their pledges as they are charged."

"21st October 1554. The Earl of Huntly being called before the queen regent and council, to give account of lieutenancy accepted by him, after long reasoning, and divers witnesses and probation received, determined that he had not used his commission according to his acceptation and duty, but had failed therein, and therefore was ordained to be punished at the queen's pleasure."

"27th June 1555. Commission to the Earls of Argyle and Athole upon the Isles."

"———————— Commission to the Earl of Caithness."

"———————— Articles offered by Macleod of the Lewis for his obedience and redress of wrongs, and the Earl of Argyle as cautioner for him."—*Record of Privy Council in Advocates' Library.* MS.

uncle, then prior of St Andrews. Having gone to Edinburgh, Huntly left orders to put Mackintosh to death in his absence, that the odium of the crime might attach to his domestics, and not to himself. In this, however, he was disappointed, for every one believed him to be the author of the foul deed. He was therefore imprisoned, tried, and found guilty of the murder: but the members of council were divided in opinion with regard to his punishment: at length the advice of the Earl of Cassillis was adopted, which was, that he should be detained in prison till he gave up the right which he pretended to the earldom of Murray, and resigned some offices which he held: and having submitted to these terms, he was liberated, and restored to his seat in the council.

Donald Mackay was twice married, first to a daughter of Maclean of , by whom he had a son Iye, who succeeded him, and two daughters; one of whom married John Mackay of Achness, chieftain of the clan Abrach;* and the other, Florence, married Niel Macleod, fifth baron of Assint.† Secondly, to Helen Sinclair, by whom it does not appear that he had any issue. He procured for her a liferent charter from the crown over a large portion of his lands, dated 22d February 1545;‡ and in the year 1548, he executed a liferent disposition of those lands in her favour.‖ He died, at an advanced age, about the year 1550, and was succeeded by his son Iye Mackay.

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* Stewart-Hall Manuscript. † Douglas' Baronage.

‡ "Mary, &c. Know that we, &c. have given and granted to our beloved Helen Sinclair, spouse of Donald M'Ky of Far, in liferent for all the days of her life only, the lands of Balneglis with the miln, multures, and pertinents of the same; Gallowell with the miln, multures, and its pertinents; Strathy, Armadale, Mellness, Dilret, Cattack, and Broynach, with the milns, multures, and pertinents thereof; the water of Far from the open ford to the sea exclusive, with the accustomed salmon fishing; the water of Hallowdale from Bighouse to the sea, with the accustomed salmon fishing; the water of Strathy, with the accustomed salmon fishing of the same; and also the water of Hoip from the lake to the sea, with the accustomed salmon fishing, lying within our sheriffdom of Inverness, &c. On the resignation of her husband, &c. At Edinburgh, the 22d day of February, in the year of our Lord, 1545, and fourth of our reign."—*Privy Seal Record.* Translated.

‖ Inventory of Caithness Titles.

CHAPTER VI.

IYE MACKAY III.

1550—1571.*

Some years before his father's death, he appears to have joined with the best men in the kingdom to accomplish the union with England, proposed by King Henry, by a marriage between Prince Edward and Queen Mary. This union was much desired at that time, not only to put an end to those wars that had been so detrimental to both kingdoms, but also as a mean to promote the interests of the reformation, which had then been begun in England. But that measure, after the national faith had been pledged for its completion, was frustrated by the influence of the Queen-Dowager, Huntly, and others, who were in the French interest, and by Cardinal Beaton and all the popish clergy: which was followed by invasions, plunderings, and conflicts in succession, until the battle of Pinkie, 10th September 1547, when 30,000 Scots were shamefully defeated by the English. It needs not be doubted that Donald Mackay, who was himself on all occasions so ready to assist the late king, and with whom he was in so great favour, had sent his son with his men to this battle; and that they were among those Highlanders mentioned by Buchanan, who, "after the Scots army were fleeing, gathered themselves together in a round body, kept their ranks and returned safe home. At first they marched through craggy places, and inconvenient for the horse; and if they were sometimes necessi-

* In Douglas' Peerage he is named Hugh.

tated to descend into the plains, yet the English horse, who followed the pursuit in a scattered way, durst not attack them."

In the beginning of the year 1548, says the same historian, "the English fortified Haddington, burnt the villages, and plundered the country about." It was alleged, and for fourteen years after retained against Iye Mackay as a treasonable crime, that he had conducted the English army to Haddington, and assisted them with horse and foot. This crime, whether pretended or real, was remitted in the year 1562, as shall be seen. But seeing he had so many powerful enemies, and that several other methods were taken to ruin him, it is not a little surprising, if the charge could have been substantiated, that an action of high treason was not preferred against him, and that such was not instituted, goes far to shew that the charge was groundless.

Soon after his father's death, the ruin of Iye Mackay was projected. Robert Reid, bishop of Orkney, one of Queen Mary's tutors, who was a great politician, highly in favour with the regent Arran, and Queen-Dowager, and an extraordinary lover and hoarder up of money,* obtained gifts of the whole lands belonging to Iye Mackay, under pretence that his father and he were illegitimate, and that the former had made no legal conveyance of his property.†

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* Robert Reid, bishop of Orkney, died in 1554, on his return with the Queen-Dowager from France; "whose end," says Knox, "was even according to his life: perceiving his sickness increasing, he caused make his bed betwixt his two coffers, some say, upon them: such was his god, the gold that was therein inclosed, that he could not depart therefrom so long as memory would serve him."—*Hist. of the Reformation.*

† "A presentation of tenantry directed to Robert (Stewart) bishop of Caithness, and Mr James Brody, his vicar general in his absence, in the Robert, bishop of Orkney, in to them of the lands of Galwall, Kendowell, Arasnegy, Carolle, Slaynis, Aslarmore, Aslarbeg, Sandwet, Carrogarif, Carromanache, the Isle of Hoa, the water of Awingarrow, with the salmon fishing on the same, with the tiend sheaves of towns, and lands foresaid, with all the tiend sheaves of the parish of Ardurness, the lands of Rigiboll and Skaill, and all their pertinents, lying within the sheriffdom of Inverness, which pertained heritably of before to Donald M'Ky of Far, in feu farm holden by him immediately of the said Robert, elect of Caithness, and now being in our sovereign lady's hands, and pertains to her highness by reason of escheat by the laws of her realm

As the clergy in those times possessed great power, and most of the public offices of emolument, and were amenable only to the spiritual jurisdiction, where themselves were judges, there were few bad transac-

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and privilege of her crown, through being of the said umq[ll] Donald, born bastard, and died bastard without lawful heirs of his body begotten, or lawful disposition made by him of his said lands in his lifetime, &c. At Edinburgh, the fifth day of October 1551."—*Privy Seal Record.*

"A presentation of tenantry, directed to John, Earl of Sutherland, pertaining to Robert, bishop of Orkney, immediate tenant to him of the lands of Golspytour, Kinauld, Kilcalmkill in Strathbrory, and Miln of Kinauld, and all the pertinents lying in the earldom of Sutherland and sheriffdom of Inverness, which pertained heritably of before to umq[ll] Donald M'Ky of Far, holden by him immediately of the said earl, and now being in our sovereign lady's hands, and pertaining to her grace by reason of escheat by the laws of her realm and privilege of her crown, through being of the said umq[ll] Donald born bastard, and died bastard without lawful heirs of his body begotten, or lawful disposition made by him of his said lands, in his lifetime. At Edinburgh, the fifth day of October 1551.—*Ibid.*

"A letter to Robert, bishop of Orkney, his heirs and assignees, one or more, of the gift of the plea of the decreet-arbitral, given by umq[ll] James, Earl of Murray, Lord Abernethy, judge-arbitral, and amicable compositor, equally chosen betwixt umq[ll] William Sutherland of Duffus, on the one part, and umq[ll] Donald M'Ky of Far, on the other part, which pertained to the said umq[ll] Donald, decerning the said umq[ll] William to alienate by charter and sasine, in manner of alienation, to the said Donald and his heirs heritably, all and sundry the lands of Langwall, Rosswall, Tofts, Dowing, Anchuedest, Alibry, and Canuestrome, with their pertinents, lying within the diocese of Caithness, in the sheriffdom of Inverness; to be holden of the kirk of Murray in feu-farm, for the yearly payment to two chaplainaries, founded at St Michael's altar, within the cathedral kirk of Murray, of the sum of twelve merks money of Scotland, at two terms in the year, Whitsunday and Martinmas, by equal portions, and giving three [illegible] at three head towns of the bishop of Murray, and making their oath of fidelity to him, or to resign the same into the hands of the said bishop of Murray for the time, for the infeftment to be made to the said umq[ll] Donald heritably thereof; and also decerning the said umq[ll] William to make the said umq[ll] Donald, or any others he pleased, his donators, cessioners and assignees, in and to the non-entries of all and whole the lands of Galwell, Ballinegliss, with the fishing upon the water of Halladell; the lands of Strathy, Armadell, and Far, with the fishing thereof; the lands of Renevy, Shelpick, Ravegill, Syre, Skaill, Skerra, Allanny, Dilrit, Cattack; the lands of Toung, Kirkeboll, Scrabuster, Rigeboll, Kineset, Elingrell, Kinloch, Maleynis, Letterlyole, Hoip, with the fishing of the same; Arnabill, Huilem, Ereboll, Strathardill, and Mousell, with their pendicles and pertinents, lying within the said sheriffdom, after the form of the said William's gift made to him thereupon, and also all other manner of actions which the said umq[ll] Donald had, or that might pertain to him any manner of way, by virtue of whatsoever obligations, acts, contracts, or writings, the time of his death; and now pertaining, or any ways shall pertain to our sovereign lady, by reason of escheat,

tions of importance with which they had not some concern either as parties or agents. Bishop Reid gave up his right, such as it was, to Iye Mackay, but it is uncertain on what terms. Both the gift itself, however, and its conveyance to the proper owner were afterwards rendered of no effect.

The charter granted by the king to Donald Mackay, was to him and his heirs, without any restriction as to heirs of his own body: and therefore, supposing his son to have been illegitimate, still there were others who had right to the succession as his heirs: so that in every point of view the gifts were fraudulently obtained; and that none else pretended any right to the succession, affords farther evidence that Iye Mackay was the nearest lawful heir.

In the same year, 1551, that bishop Reid obtained those gifts, John Sutherland, son of Alexander, heir of Sutherland, and cousin-german of Iye Mackay, was treacherously murdered by a William Murray, instigated by Alexander Gordon, brother of the Earl of Sutherland, who managed his affairs during his absence in France, whither he had gone with the Queen-Dowager. Iye Mackay went to Sutherland in search of Murray, and not finding him, he carried away a spoil with him. But Murray was killed by Sutherland, laird of Clyne, in revenge of the murder.

Soon after the Queen-Dowager obtained the regency, she went to Inverness, and summoned the Earl of Caithness and Iye Mackay to appear there. The former answered the summons, and, as Sir Robert states, was imprisoned, first at Inverness, then at Aberdeen, and afterwards at Edinburgh, "from whence he obtained his liberty for a great sum of money." Iye Mackay, however, judged it unsafe to trust himself where Huntly and Sutherland, who were with the queen at the time, had so

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through being of the said umq^{ll} Donald born bastard and died bastard, without lawful heirs of his body begotten, or lawful disposition made by him of his lands, or of the rights above written in his lifetime; with power, &c. At Edinburgh, the 5th day of October 1551."—*Privy Seal Record.*

much power and influence; "whereupon," says Sir Robert, "the queen granted a commission to John, Earl of Sutherland, against Iye Mackay and his country."

The Earl of Sutherland, assisted by Huntly, and having the regent's commission, raised an overwhelming force, and for the first time that ever any Earl of Sutherland adventured to do so, invaded Mackay's country. "So Earl John, assembling all his forces, entered into Strathnaver, sacking and spoiling before him in all hostile manner, and possessed all the places of doubt, lest, as Hollinshed sayeth, any hole might be left for them to pass away from thence.* But when Earl John perceived that Iye Mackay would not abide and fight him, he besieged the strong castle and fort called Borwe, the principal strength of that country, not two miles distant from Far. After a short siege, he took it by force, and hanged Rory Mackean-Voir, captain thereof."† Iye Mackay and his people, however, acted more manfully than to hide themselves *in holes*, and more prudently than to fight such a multitude: they marched by another direction to the coast-side, and most fertile parts of Sutherland, and ravaged, burnt, and spoiled before them, doing more injury than they had received. It appears that Earl John had been apprehensive of this, and had ordered his chamberlain, Mackenzie of Kintail, to guard his country in his absence, assisted by his clan, and others from Ross, of which Earl John was then lieutenant. They met at Strathbrora, where they had a conflict: and whosoever credits Sir Robert, needs be at no loss to conjecture how it terminated. He says, that on that occasion, Iye Mackay burnt the church at Loth, but mentions no cause. It rests on his authority that he did so at all: but if he did so, it must have been in order to redress himself of the enemy who had taken sanctuary there: but stones and timber were then beginning to be less held in veneration than formerly.

Some time thereafter, Iye Mackay having left his country and affairs

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* Hollinshed doubtless knew all the *holes* from Sandside-head to Assint!

† Page 134-5.

under the management of his cousin, John-More Mackay, took his journey to Edinburgh, and gave himself up to the regent, to take his trial, in reference to any crimes that might be charged against him. It is said that she was much taken with his appearance, and felt inclined to befriend him. She had also many upright men of her council at that time, such as the Earls of Cassilis, Glencairn, and Argyle, Lord James Stuart, afterwards Earl of Murray, and others. It does not appear that he was brought to any trial, but kept in confinement for some time: which seems to imply a conviction on the part of the regent and her council, that he had been injured, and that the complaints brought against him, had been either groundless or greatly exaggerated: and perhaps his not answering the summons to Inverness, was found to be the greatest, or only crime of which he was guilty: while at the same time he had to plead in defence, that other circumstances, and not any contempt of authority, prevented him. Sir Robert himself does not allege that any thing farther was done to him than that "he remained in captivity a long space." It could not be very long, for in 1557, the Queen-Regent, prompted by France, felt much disposed to make war upon England, and several skirmishes took place on the border of that kingdom, during which, Iye Mackay had some command given him, and he behaved so as to gain much applause for his bravery: so much indeed, that Sir Robert admits it as one of the very few encomiums he finds to be due to any of the Mackays. "During Iye Mackay's stay in the south of Scotland, after his releasement from captivity, he served divers times in the wars upon the borders against the English, in the which service he behaved himself valiantly."*

"Whilst Iye Mackay was detained in ward in Edinburgh, John More-Mackay (being nothing afraid of his cousin Iye Mackay, his imprisonment) came into Sutherland with a company of the most resolute men in all Strathnaver, spoiling and wasting the east corner of Sutherland. Their rage and fury went so far, that they demolished and burnt

* P. 136.

St Ninian his chapel in Navidale, which was some time a place of refuge or sanctuary."* No provocation, however, or reason why, is mentioned. Very likely that, as matters then stood, the Mackays would, without any aggression on the part of Sutherland, perform such acts as would infallibly secure their own speedy destruction! It cannot admit of a doubt, that this invasion was for some just cause, since no complaint, or other proceeding detrimental to Mackay, followed upon it.

In 1560 the reformation was established in Scotland by Act of Parliament, and to which the Earl of Huntly gave his sanction among the rest, though he was always suspected of insincerity. "The Lord James," says Knox, "was appointed to the north, where he made such reformation as nothing contented the Earl of Huntly, and yet he seemed to approve all things." Queen Mary arrived in Scotland, 19th August 1561, all frenchified throughout, both as to principles and manners: a most unmeet head for such a body as Scotland then was, and rendered still more unmeet by evil counsellors and agents, of whom Huntly was among the first. She came to Scotland with a determined resolution to reduce the reformation, and restore the abrogated system, and tenaciously persevered in her purpose to the last: but the better part of the kingdom were not unapprised of her intention, and therefore, while they were determined to support her lawful authority, they kept a watchful eye on herself and her confidential advisers. She had not been long in Scotland, when Huntly formed an opinion, that she would marry his son, which, considering his great power and influence in the north, would facilitate her views of restoring the Romish religion.

Buchanan says, that three great families, Hamilton, Huntly and Bothwell, had plotted Murray's ruin, and that the accession of the Guises to that plot made a fourth; "for they being willing to restore the old popish religion, and knowing they could never effect it as long as Murray was alive, employed their utmost endeavours to remove him out of the way. Many concurrent circumstances contributed to make the at-

* P. 135.

tempt seem feasible; especially because the French who had accompanied the queen to Scotland, being returned home, had related what great interest and power Gordon had; how unquiet his mind was, and what promises of assistance he had made to introduce the mass; all these things they aggravated in their discourse, to the height. Then the matter was debated by the papists in the French court, and this way of effecting it resolved upon. They write to the queen, to cherish the mad spirit of Gordon by large promises; that she should rather pretend, than promise, to marry John his son; that so, being hoodwinked with that hope, they might lead him whither they pleased; and also they gave her the names of those, in a list, whom they had a mind should be destroyed. Besides, letters from the Pope and cardinal were sent to her to the same effect."

Besides her affection for her brother, Mary revered his talents and honesty, while she hated his principles and popularity; and on the other hand, any regard that she pretended for Huntly, was entirely mercenary. She was aware how pernicious his counsels and actions had been to her parents, and she was afraid of his ambition and power, if Murray and his friends were destroyed. John Gordon had escaped from prison, to which he had been consigned for an assault on Lord Ogilvy, and had joined his father, Huntly, who then having the queen in his power, might force her to marry his son, pleading as his excuse, the hopes she had held out to them to that effect. Thus Mary had got into a labyrinth from which she saw but one way to extricate herself, and that was, that John Gordon should be imprisoned for a short time in Stirling castle, which was kept by Mar, Murray's uncle. There are strong grounds to believe, that the main reason of her journey to the north, was to get rid of Murray, young Lethington, and others whom she had brought along with her.

Huntly was, no less than the queen, at a loss how to proceed; he was aware how her mind was affected towards Murray, and that his slaughter, and that of others in her train, would gratify her in the mean time; but he was afraid of the consequences, if he should lose that op-

portunity to have her married to his son, which would of course happen if the latter was sent to Stirling castle. He therefore resolved to disobey her orders, not doubting that after Murray's death, and the projected marriage, the queen would be appeased by his assiduity and flattery: but as each stood firm to their respective purposes, a complete rupture was the issue; and in place of lodging in Strathbogy, as Huntly intended, having made great preparations for her, Mary proceeded straight for Inverness. "The castle there was denied her," says Knox; "the captain was commanded to keep it, and looked for relief; for so had John Gordon promised; but being thereof frustrated, the castle was rendered, and the captain, called Gordon, was executed upon the place; the rest were condemned, and the hands of some bound, but escaped."*

The queen was soon relieved of all her fears at Inverness, by the arrival of Iye Mackay and his men, the Munros, Frasers, Mackintoshes, and other Highlanders, who speedily came forward to her assistance; and after remaining four or five days there, she returned, sufficiently guarded, to Aberdeen, where she was joined by James Douglas, Earl of Morton, Patrick Lindsay, the Forbeses, Hays, Leslies, and others: upon which the Highlanders were allowed to return home. As a return for his loyal service on that occasion, the queen granted to Iye Mackay a remission of the crime formerly alluded to, of his having joined the English army, and conducted them to Haddington in April 1548.† The present was a favourable opportunity for him to have obtained a renewal of his father's charter, which the queen, who was now reconciled, at least in appearance, to Murray, would not have refused, and more

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* History, P. 287.

† "Precept of Remission, dated Aberdeen 5th October 1562, to Y Makky of Far, for his treasonable leading of the ancient enemies of England to the burgh of Haddington, in April 1548, assisting them in fortifying the said burgh, and oppressing the poor lieges —being under obedience and subjection to the King of England, and withdrawing from the queen her kingdom, crown, and authority, and for all action and crime, &c.; treason committed on the queen's person only excepted."—*Privy Seal,* Lib. 32. Fol. 100.

especially as she had not as yet gifted his lands to Huntly: the neglecting of which opportunity was an irretrievable loss to himself and his posterity.

Huntly had not yet relinquished his purpose of destroying Murray, Morton, and young Lethington. He had persuaded the Forbeses, Hays, and others who had joined them, that it was the queen's desire that they should be cut off; which was not far from the truth: so that they had resolved to fight shy in the matter; and Murray's party, which consisted of little more than three hundred men, were by far an undermatch for Huntly, whose company exceeded eight hundred. The Earl of Sutherland, says Buchanan, was a daily attendant on the queen, pretending good will to her, searched out all her counsels, and, by proper messengers for the purpose, acquainted Huntly with them, and promised him his aid. Some letters from him to Huntly were intercepted, which discovered the whole plot. And Knox writes, that after Huntly's death, letters were found in his pocket, which disclosed the treason of the Earl of Sutherland and some others; and that John Gordon, at his death, confessed many horrible things devised by his father, by his brother, and by himself. Mr Thomas Keir, who had been Huntly's counsellor, confessed that Murray and some others were to have been murdered at Strathbogy, the queen seized and kept at Huntly's devotion.

The conflict at Corrichy, and its issue, are well known. Huntly's army were defeated; about 120 of them killed, and 100, together with himself and his sons John and Adam, taken prisoners. Huntly, soon after he was siezed, died in the hands of his captors. "Five times," says Hume of Godscroft,—"at Buchan, at Strathbogie, at Inverness, at Aberdeen, and last of all at Corrichy,—did Huntly attempt to cut off these men, who were many degrees weaker; and five times is he disappointed: and that neither by their wisdom nor their strength, but by Him who confounds the wisdom of the wise, and who delivers without the help of the arm of flesh. Neither were they delivered only, but their enemies were also taken in the trap, and fell into the pit which they had digged for them."

Sir John Gordon was beheaded next day, and was much pitied and regretted. "The queen," says Buchanan, "beheld his death with many tears:" but he and others thought that her tears were more because her plans had misgiven, than from disappointed love or any other cause. Huntly was forfeited, and his arms torn; George, his eldest son, fled for safety to his father-in-law, Duke Hamilton; Adam was pardoned on account of his youth. The Earl of Sutherland was forfeited, and fled to France, where he remained until the year 1565, that the court got into misrule, by means of David Rizzio, unhappy Mary's favourite, unprincipled Bothwell, who had married the late Huntly's daughter, Balfour, and others: in consequence of which, young Huntly and Sutherland were restored to their lands and dignities, and the former was made chancellor: he had until then been in prison in Dunbar. Knox says, that at the Parliament May 1563, Huntly and Sutherland, and eleven earls and barons bearing the surname of Gordon, were forfeited.

Sir Robert repeatedly mentions that the Mackays, taking advantage of the absence of the earls of Sutherland, invaded their country. If they had been watching for, or inclined to take such advantages, they surely never had a better opportunity than now, when the Gordons were all in disgrace, and their power broken, the Earl of Sutherland in banishment, and his eldest son not eleven years of age. It is not then a little surprising to find, that this writer mentions no invasion or other disturbance having taken place in these northern districts during that, nearly three years, banishment; while, at the same time, Iye Mackay was then very powerful of himself, and was allied to the Earl of Caithness, having married his cousin, Christian Sinclair, daughter of William Sinclair, laird of Dun: and Sir Robert himself allows, that that earl and he were on friendly terms. This goes far to disprove his statements, that the Mackays were quarrelsome or troublesome neighbours; and also affords strong grounds to presume that the Earls of Sutherland were the aggressors. But although Iye Mackay did Earl John no injury during his absence, yet he and Huntly conspired to ruin him soon after they were restored, and would have fully effected it, as they did in part, had not He who governs the affairs of men prevented them.

Sir Robert mentions, that the Earl of Huntly prevailed with the queen to revoke the gift of Mackay's lands made to bishop Reid in her minority, and that when she was of perfect of age, she conveyed it to Huntly: but he does not say whether it was the father or the son that so prevailed with her. Upon the 15th December 1564, she was, by act of Parliament, declared to be of twenty-one years complete, and of lawful age.* She had executed a deed of revocation, 25th April 1555, amongst others, of all gifts of bastardy which had been granted in her minority; which revocation was recorded in the books of Parliament the 20th June of that year.† She was then only thirteen years of age: and it may be taken for granted that she executed no such deed at any after period, as there is none of the kind on record. The gift to Huntly must therefore be presumed to have derived all its virtue and effect from that revocation: nor was that deed, made in her minority, ever ratified by Parliament, for ought that appears in the acts formerly or of late printed. Taking these circumstances into view, it would seem that the gift to Bishop Reid was never legally revoked, and of consequence, that the subsequent gift to Huntly was defective: and that this was the case, seems to be confirmed by a transaction with the heirs of Bishop Reid, which will afterwards be noticed.

Although the queen, in the year 1565, had recalled the forfeitures of Huntly and Sutherland, together with those of several others of the Gordon families, their reduction by Parliament also was necessary: but from the convulsed state into which the rulers and the nation in general were thrown, in consequence of the slaughter of Rizzio, the unnatural, treacherous, and horrible murder of King Henry, and the queen's resolution to marry Bothwell, there was no meeting of Parliament from December 1564 until April 1567.

On the 14th of April of that year, the Parliament met, consisting of nine bishops and twelve abbots, all creatures dependant on the queen; and the far greater part of the other members were such as were dispos-

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* Scots Acts of Parliament. † Ibid.

ed to please her and Bothwell, or who had private matters of their own in dependence. Indeed it was thought that had it not been in order to carry such private matters,—which would be easily done upon consenting to the wishes of the queen and Bothwell,—there would have been no parliament at that time. Huntly, to have the marriage hastened, instigated his sister to divorce her husband Bothwell, who was chancellor. Besides Huntly, Sutherland, Caithness, Crawford, Errol, and others devoted to the queen and the popish religion, were members. The best part of the nobility were absent, such as Angus, Mar, Glencarin, Murray, Arran, Lennox, Home and others; Athole also, who was enraged on account of the king's murder: some of them had been recently banished; and some were terrified by the great bands of followers kept by the queen, Bothwell, Huntly and others. In short, it was a meeting in all respects suited to the measures then in contemplation. Bothwell was acquitted of the murder, contrary to the judgment of all honest men; consent was given to the detestable marriage; many private acts were passed, to the advantage of favoured members and their friends; and on the 19th the forfeitures of Huntly, Sutherland, and other eight families of the Gordons, were reduced.*

The queen had gifted Iye Mackay's lands to Huntly at Stirling, the 21st December 1566,† which was four days after the baptism of her son, at which Huntly was present, and he remained there with her and Bothwell for several days after; and on the same day on which the Gordon forfeitures were reduced, that gift to Huntly was ratified.‡ There could not be a more fit opportunity, than that which Huntly took to accomplish his scheme. The queen was resolved to get rid of her husband, either by divorce or by his death, and to marry Bothwell. The latter, as has been said, was married to Huntly's sister; and it was necessary

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* Scots Acts of Parliament.

† Gift of the Barony of Far, &c. to the Earl of Huntly, 21st December 1566.—*Privy Seal Record*, B. 35. Fol. 102.

‡ Scots Acts of Parliament.

that she should divorce him. To get these intricate matters resolved, Huntly's agency and assistance was indispensable; and in return for such "*good, true, and thankful service, done by her trusty cousin and counsellor, George Earl of Huntly,*" Mary could scarcely deny him any thing; nor did he miss his occasion to obtain, most unjustly, a grant of Iye Mackay's lands in his absence, and at a time when none besides the friends of Bothwell and Huntly were at court: and under circumstances of the same kind, and not more creditable, did he obtain the parliamentary ratification of that unjust grant.

It is very easy to see, that the Earl of Sutherland had a concern in all these proceedings, believing that Mackay's lands would fall to himself; and Huntly, no doubt, gave him ground to think that they should do so. Sutherland of himself had but little interest with the queen, but it was far otherwise with his cousin Huntly, who, at the same time, could comparatively receive little benefit from Mackay's lands, which lay at such a great distance from him. The lands of Kinnauld, Golspitour, and Kilcalmkill, which were extensive, lay within, and originally belonged to Sutherland: and the lands of Dirled, Cattag, and Broynach, had also formerly been parts of the Sutherland property in Caithness.

In that parliament, which was the last in which Mary had any concern, the Earl of Caithness acted an unfaithful part to his neighbour, Iye Mackay, although he was his cousin's husband, and they had hitherto been on friendly terms: but he had received gifts from Mary,* and

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* 14th February 1566. The office of Justiciary in the county of Caithness granted to George Earl of Caithness. *Privy Seal Record.* B. 36. Fol. 60.

25th February 1566. Confirmation granted to George Earl of Caithness of the Hospital lands and rents of St Magnus, &c. in that county.—*ib.* B. 36. Fol. 57.

1st April 1566. The office of Justiciary from Portneculter (Meikle Ferry) to Pentland Firth, granted to George Earl of Caithness.—*ib.* B. 34. Fol. 19.

20th March 1566. The Earl of Huntly appointed treasurer of Scotland.—*ib.* B. 35. Fol. 13.

25th ———— Licences granted to the Earls of Huntly and Sutherland to raise reductions of their forfeitures.—*ib.* B. 35. Fol. 17.

20th March 1566. Entry granted to the Earl of Sutherland to his lands and earldom, *ib.*—B. 35. Fol. 15.

was allied to Bothwell, whose sister was married to his eldest son John; and he therefore combined with Huntly and Sutherland in forming plans, so that, as a worthy triumvirate, they might rule and give laws to the north of Scotland at their pleasure; but, as might be expected, their selfish and ill-grounded friendship was of short continuance, and their schemes did not succeed to all the length that they had anticipated.

Poor Mary was unhappily situated: her nature was not bad, but her education was the worst that could be conceived, for the station which she held in Scotland; and those in whom she most confided, were in reality her greatest enemies. The principles of the Guises were early instilled into her, and she was all along a dupe to their counsels. Bothwell, Huntly, Sutherland, and Caithness abetted her rash and improper measures, in order to gain their own private ends: but had they, in place of doing so, concurred with her brother, Murray, and the other nobles who sought her best interests, and those of the kingdom, in giving her wise counsel, and prudently restraining some of her most violent passions, her reign in Scotland might have been long and prosperous.*

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* The author of the life of Mary, lately published, has made a bold attempt to impose on the judgment and common sense of the present age. In that work, which is wrought up more in the air and style of romance than history, he has exhausted his own invention, and improved on all her former encomiasts, to paint her out as a paragon, not only of beauty and accomplishments, (which, had he stopped there, might be conceded to him) but also of virtue and religion; and, which was necessary to give a finish to his picture, he describes Murray, "*The good regent,*" and "*by far the best man of his time,*" as a compound of ambition, hypocrisy, ingratitude, craft, and other corresponding qualities; and as having pressed into the service of these, any good properties he may *per chance* have been possessed of. Whatever motives have influenced this author to prostitute his talents to such a degree, it is probable his production will secure an extensive sale among papists, and the numerous advocates for their emancipation. But let these wild beasts be once unchained, (as it is too apparent they may) it requires no spirit of prophecy to foresee that, ere long, Britain will find that she never committed an error she will have so much cause to repent of. The principles of Protestantism and Popery are the same at present as at the Reformation, though their distinctive qualities are not now so clearly seen or understood, and consequently the former is less valued, and the other less feared. All thinking persons are convinced that the miseries of Ireland, for centuries past, are chiefly attributable to Popery: and will more favoured Britain lessen or alleviate these evils, by opening the sluice to have herself inundated by them?

Bothwell, it is well known, came to a miserable end; Sutherland, a few months after his return home from Mary's last parliament, was poisoned, together with his wife, who was then pregnant, as has been noticed: Sir Robert alleges it was by procurement of the Earl of Caithness, but of which there was no proof: Huntly continued during his life in opposition to government, and died suddenly by an over-exertion at play; and Caithness, though he lived long, was unhappy, and laid the foundation of the ultimate ruin of his family.

It has been said, that Sutherland expected, in consequence of these laudable transactions, that Mackay's lands would ultimately fall to himself; and that very likely Huntly made him believe so: though, at the same time, he would first know upon what terms. But circumstances unforeseen by either of them soon intervened, which prevented their designs from taking effect: and but for these circumstances, it is pretty evident that Mackay, as he was virtually, would have been actually denuded of his property. Had Huntly attempted to take immediate possession, Mackay would have been alarmed, and led to seek legal redress, which, there is no reason to question, he would have obtained: because those rulers who succeeded upon the queen's resignation of her authority, were too well acquainted with Huntly's measures, not to enquire into the circumstances that led to such a case of oppression. And it may be noticed, that though Caithness allowed Huntly for the present to run away with the prize, he no doubt intended, when the spoil came to be divided, to come in for his share.

It was certainly a great eye-sore to Huntly and Sutherland, and more especially to the latter, that Caithness was appointed justiciary over the counties of Caithness and Sutherland, because, as they knew the man, they prognosticated no good to themselves out of it; nor were they long when they found their vast projects blasted, and Sutherland's family brought to the very brink of ruin by his means: and while he ruined Sutherland almost, and Sutherland him in his turn, the family of Mackay maintained their old ground, during Iye Mackay's and his sons'

days, and until Sir Robert himself, by hatching the eggs that his grandfather and Huntly had laid, encroached upon them.

John, Earl of Sutherland, who died by poison, as has been noticed, left an only son, Alexander, then fifteen years old, whose wardship fell to the Earl of Athole, from whom the Earl of Caithness purchased it. The latter finding it necessary to be in possession of the castle of Skibo, obtained liberty to that effect from Robert, Bishop of Caithness, who then lived at Scrabster, and was on terms of amity with the Earl: but the Murrays, and others in Sutherland, who were greatly displeased that the Earl of Caithness should have any command in that district, opposed his admission to the castle, and detained his ward Alexander there, to prevent his having him in custody; and they had also committed some acts of oppression against Iye Mackay's tenants and dependants in Sutherland, pretending that his claims were extinguished by the gift of all his lands, which had been made to Huntly. At the request of Caithness, that he might have possession of the castle, and of his ward, and in order to redress himself, Mackay, says Sir Robert, invaded Sutherland, wasted the barony of Skibo, and burnt the town of Dornoch, chiefly inhabited by the Murrays; he also invaded Hugh Murray and others in Strathfleet, killed his brother Donald, and a Thomas Murray, and brought Hugh with him prisoner to Tongue; but upon his submission, he set him at liberty. These matters took place in the year 1567; and they probably occasioned the question which was asked in the first parliament, James VI. 15th December of that year, "*By what means might Mackay be dantoned?*" Huntly and Caithness were then present, and most likely the former put the question. No answer was made to it: but the proper one would have been, *Let his grievances be redressed.*

Earl George brought his ward with him to Caithness, and treated him with great kindness, as one of his own children. Some time thereafter, Alexander married Lady Barbara Sinclair, one of Caithness's daughters, and resided with her at Dunrobin: but the Murrays and Gordons of Sutherland having persuaded Alexander that Caithness had

a design to kill him, and then to obtain the earldom of Sutherland to his second son, William, by marrying him to Lady Margaret, Alexander's eldest sister, and also that his wife was too familiar with Iye Mackay—all mere fable: they enticed the credulous young man, his guardian being then at Edinburgh, to go with them to Strathbogy, where he remained till his majority, when, his wife having died about that time, he married Huntly's sister, Bothwell's former wife.

Soon after the marriage of Alexander and Lady Barbara, the laird of Duffus married her younger sister, Lady Margaret, and Caithness having gained Mackay to his party, by proffering his friendship, in repelling Huntly's unjust claims, his power in Sutherland, as well as in Caithness became irresistible. He went with his family to Dunrobin, and lived either there or in his own country, at his pleasure, until the year 1573, when Alexander had arrived at majority.

Upon his return from the south, after the flight of his ward, Caithness caused William Sutherland of Evelix, brother of the laird of Duffus, apprehend John Murray, who had been a principal agent in effecting Alexander's escape. Murray was imprisoned in the castle of Skibo; and Earl George having gone to Caithness, the Murrays made several incursions on the lands of Evelix, and also on Duffus' lands, doing them considerable damage; they likewise seized a gentleman of the Sutherlands, whom they detained in pledge for John Murray. In return for these injuries, Duffus and his men, accompanied by the Macphauls, marched to Dornoch, where they were met by the Murrays, who, Sir Robert says, beat them back to the gates of Skibo; "killed some of them, and took certain prisoners, whom they delivered for John Murray."

Notice of these matters having been sent to Earl George, he resolved to exterminate the Murrays and their adherents, and for that purpose dispatched his eldest son John to his friend Iye Mackay, to request his assistance, which he readily obtained. Mackay and his men having met John with a company from Caithness, they marched to Dornoch, where the Murrays and their friends had assembled, and resolved to

make the last struggle for their lives; they betook themselves to the cathedral church as their only place of safety: but the assailants having burnt the church and the town, the besieged fled to the steeple and castle, which, after a few days, they surrendered upon conditions, for performance whereof they delivered three sons of their principal families as pledges. But Earl George refused to ratify the agreement entered into by his son and Mackay; and because the Murrays declined to submit to his terms, he caused the three hostages to be put to death. Both his son and Mackay detested that worse than savage deed: it alienated the latter from Earl George, and gave rise to that quarrel between the father and son which never afterwards terminated.

"Hereupon the Murrays," Sir Robert states, "and such as favoured the Earl of Sutherland, left the country of Sutherland, and dispersed themselves, some one way and some another. The Murrays went to Strathbogy, where Earl Alexander was; Hugh Gordon of Drummy went to Orkney; his brethren went with the Murrays to Strathbogy to the Earl of Huntly, who placed them and the Murrays amongst his own friends, where they remained until the issue of Earl Alexander's ward; John Gray of Skibo, and his son Gilbert, retired to St Andrews unto Robert, bishop of Caithness; Mackamish went into Glengarry's country. Thus were the Earl of Sutherland's truest friends and followers dispersed and banished from their soil, by the Earl of Caithness."*

Disgusted at various parts of his father's conduct, and in order to avoid his displeasure, John, master of Caithness,† went to reside with Iye Mackay, in consequence of which, his father became jealous that they were devising schemes to thwart his measures. Huntly, at the same time saw with deep concern, that ruin hung over Sutherland, while its affairs were under the management of Lord Caithness. He first applied to the Earl of Athole, to endeavour to recover the wardship, of which there were three years still unexpired; but the morsel was too sweet for Caithness to part with it; and Athole therefore lost

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* P. 157.

† He was called John Garwe, or *the Stout.*

all his labour. Huntly now saw that the only remaining mean to save Alexander was to secure Mackay's friendship: for which purpose he sent Hugh Murray of Shiberscross to Tongue, to prevail with Mackay to go to Strathbogy, that an arrangement might take place between them. Mackay, after several journeys made by Murray to the same purpose, at length believing that Huntly was sincere, went with Murray to Strathbogy, where he obtained from Huntly a conveyance of his own whole lands for three thousand pound Scots: but at the same time Huntly retained to himself the superiority. And thus Huntly was obliged to restore to the right owner the lands he had unjustly obtained, and were intended for Sutherland, in order to relieve Sutherland from the oppression of Caithness; and Iye Mackay was obliged to receive his country under fetters: that country which for four centuries had remained in his family, who acknowledged no superior under the crown: and these fetters soon thereafter were put into the hands of a family, the asserting of their freedom from whom had caused the shedding of so much blood. This transaction with Huntly took place in the year 1570.

About two years prior to his death, Iye Mackay, having had occasion to travel homeward from Shienness, in the heights of Sutherland, in the middle of winter was overtaken by a violent tempest, accompanied with snow, in the wildest part of either country, called *the Crask.* The morning was fair when he set out; but as he advanced, the snow began, and gradually increased, together with the wind, until it came to a hurricane. "The snow, with the drift and wind, was so vehement in his face, that he lost eighteen of his men in that wilderness; and he himself was in great danger, having escaped very hardly, with some few of the ablest of his company, of which number was William Sutherland, John's son (grandson of Alexander the heir), and John Matheson, chief of the tribe of the Siel-wohan,"* i. e. *Mathesons.*

The suspicions which Lord Caithness had entertained of his son

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* Sir Robert.

John, seemed confirmed by accounts he had received of the transaction between Huntly and Mackay; and it would appear that John's brother, William, had been active in bringing bad reports and surmises to their father concerning him. Lord Caithness sent several messages to John to come to him, under pretence of making up matters. He was at length prevailed upon by Iye Mackay, who consented to accompany him, in hopes that he might be helpful in promoting their agreement. Upon their arrival at Castle-Girnegoe, they were received with an appearance of cordiality, but they were soon after surprised by a company of armed men, who, rushing suddenly into the room, immediately siezed John, fettered, and dragged him to a dark dungeon in the castle, and left him there in chains: upon which Iye Mackay took his departure, and returned home with a grieved heart. Some time thereafter, John by some means got hold of his brother William, and as he was very powerful, he bruised him with his irons so much that he died in a few days. John had prevailed with one Murdoch Roy, who was his keeper, to endeavour to set him at liberty; but the scheme having been discovered, it is said by William, who informed his father of it, Roy was executed. After enduring all the miseries of his situation for several years, John was at last famished to death. The story is reported by Sir Robert, and it is currently told in Caithness to the present time.

Iye Mackay was twice married, first to his cousin, a daughter of Hugh Macleod of Assint, by whom he had two sons, Donald Mackay of Scoury, and John-Beg Mackay; and secondly, to Christian Sinclair, daughter of the laird of Dun, by whom he had two sons and three daughters.* His sons were, Hugh, who succeeded him, and William of Bighouse; his eldest daughter, Ellenora, married Donald-Bane Macleod, laird of Assint; the second married Alexander Sutherland of Berridale; and the third married Alexander, chief of the clan Gun.

Sir Robert, with his usual liberality, terms Donald and John-Beg

* In Douglas' Peerage it is stated that he married Lady Elizabeth Sinclair, daughter of George, fourth Earl of Caithness. But the father is there mistaken for the son, who married that lady.

both bastards, without having any better reason for it than that their parents were cousins, and had married several years before the Reformation was established by law in Scotland, when cousins were prohibited from marrying.† It will be recollected, that Angus Macleod, the former laird of Assint, had married a daughter of Iye-Roy Mackay, who of course was this Iye Mackay's aunt: but this will fall afterwards under notice. Iye Mackay died in the year 1571, about the age of 55. He had undergone great trouble and fatigue in his time, as may be seen by the foregoing narrative. He was succeeded by his son Hugh.

CHAPTER VII.

HUGH MACKAY.

1571—1614.

He was only eleven years of age at his father's death, and though his eldest brother Donald was then probably at majority, he did not, or as matters stood, was not allowed to take up the management, which therefore was assumed by John-More Mackay before mentioned, their grand-uncle's natural son. At his entry to the charge, John-More found himself in perilous circumstances, as Caithness for himself, and Huntly for Sutherland, each of them endeavoured to have him of his party. Huntly, the cousin and friend of Sutherland, was now Mackay's

† Some who were unwilling to admit that Donald and John-Beg were bastards, and at the same time could not perceive why Donald, if he was the elder brother, was deprived of the succession, in order to get over the difficulty, they have alleged that Donald and John were both younger than Hugh who succeeded. But this is contrary to Sir Robert's statements, who was personally acquainted with Donald: for he affirms that John-Beg, who he describes as younger than Donald, governed the country in Hugh's minor-

superior; and Caithness, in addition to all his former power and influence, was appointed tutor to young Duffus, upon the death of his son-in-law.* The succession to Mackay's lands belonged to Donald, whose claim John-More endeavoured to support, in conjunction with the clan Abrach, in the family of whose chief, John-Abrach Mackay, Donald was brought up: But Caithness opposed Donald's claim, under the pretence that the marriage of his parents was unlawful, insisting that Hugh, his kinsman, was the lawful heir. The consequence was, that Caithness set about having John-More removed from his charge, which, by means of his justiciary power, he soon effected.

The Macleods of Durness and Edderachillis, who were termed Slighd-Ean-voir, i. e. *Big-John's offspring*, were then a fierce, strong, hardy race, and fit instruments for any desperate enterprise. They had, on a former occasion, raised a tumult against Iye Mackay, for which he chastised them severely, and they retained a grudge against John-More and the clan Abrach, who had been principally concerned in their punishment. Finding that he could not prevail with John-More to come into his measures, Lord Caithness employed those Macleods to apprehend him, who, having watched their opportunity, seized and brought him to Girnegoe-castle, where he died soon after. He was succeeded in the management by John-Beg Mackay.

In the year 1573, Alexander, Earl of Sutherland, who was then of age, assumed the management of his affairs into his own hands, upon which the Gordons, Murrays, Guns, and others who had been dispersed by Caithness, returned to their former possessions; and Sutherland, at the same time, in right of his superiority, recovered the ward of Duffus. He also obtained from the crown the offices of justiciary and sheriff in Sutherland, which was then detached as a distinct shire.

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ity. It was equally unjust in itself, though of minor importance, to deprive Donald of the guardianship as of the succession: both of which took place under the same influence, as shall afterwards appear.

* 1570. The ward of the Barony of Duffus granted to George, Earl of Caithness.—*Privy Seal Record.*

This abridgement of the influence of Caithness, was for some years followed by a comparative degree of quietness in the north. As John-Beg Mackay had, by means of Caithness, procured the management, in preference to his elder brother Donald, and being a prudent man himself, and peaceably inclined, he offered no opposition to Caithness, but allowed his younger brothers, Hugh and William, to remain with him: and which indeed was much to their advantage: for they not only received kind treatment, but also accomplishments, which otherwise they had no chance to obtain. Sir Robert alleges that Lord Caithness had designed to make away with them, "to make his third son possessor of Strathnaver." But this is one of his ranting tales, unworthy of any credit. Donald Mackay lived for the most part with his foster-father at Achness, and occasionally with Sutherland, and the Munros in Ross, waiting to see the issue of matters. About the year 1578, Hugh Mackay, who still resided with Lord Caithness, married his youngest daughter, Lady Elizabeth, widow of the late Duffus, by which an additional motive was afforded to his Lordship to use all his power and influence, and which he did not fail to exercise, in favour of his son-in-law.

About this time, John Mackay of Achness, the chieftain, died, and was succeeded by his eldest son, Niel, a man of great personal and mental powers, second to none in the north of Scotland in his time; of whom Sir Robert, who was personally acquainted with him, and had no partial favour for him, or any of his tribe, writes, "This Niel was a good captain, bold, crafty, of very good wit, and quick resolution." Sensible of the injury intended to his friend Donald, and that it would be ruinous to the country, if its affairs were allowed to be under the direction of Lord Caithness, Niel was resolved to oppose his measures, and see justice done to Donald, to the utmost of his power. Lord Caithness, in return, sent a company of men to assist the Macleods of Durness to invade Niel, and spoil his lands; but they were defeated with loss: and immediately thereafter Niel attacked the Macleods at Balnakeel, and slew the greater part of them. John-Beg Mackay having come to their assistance, Niel gave strict charge to his clan not to hurt him, but he was

most unhappily slain in the conflict, and it was not known by whom; though it was suspected to have been done by one of the Macleods, in order to sow discord between the other Mackays and the clan Abrach: and indeed such was the effect; for this accident occasioned a misunderstanding, which lasted a long time, and was injurious to both.

This slaughter of John-Beg Mackay gave a new ground to Lord Caithness against Donald and the clan Abrach, and in favour of his son-in-law Hugh Mackay. John-Beg was much beloved and esteemed by the whole country, which seldom had enjoyed more tranquillity than while under his management; and his death was regretted by none more than by Niel. The clan Abrach were at all periods wardens of the country, and never in one instance betrayed the confidence reposed in them. They had stood many hard brunts, and often suffered severely in defending the house of Mackay; and indeed they were the saviours of the country; nor did any misfortune ever happen them more grievous, or more hurtful in its consequences, than the slaughter of John-Beg Mackay, of which they were innocently accused.

As matters then stood, Lord Caithness found little difficulty in obtaining the people's consent to acknowledge Hugh as their landlord and chief. The Guns, many of whom held possessions in Strathy, Strathhalladale, and in Strathmore of Caithness, under Mackay, had been displeased at Hugh Mackay, because he, at the desire of Lord Caithness, had spoiled and wasted their lands. The reason was, that the Guns of Caithness had been employed by Lord Sutherland to collect the bishop's rents and duties in Caithness, and had thereby offended Earl George; and none of the clans were more true, or stuck closer to one another, than those Guns. John-Beg Mackay was displeased at his brother for this aggression, and ordered restitution to be made to the Guns, of the subjects taken from them: and as they knew that Hugh had been instigated by his father-in-law, they were easily reconciled and won over to his party: so that by having the whole of Caithness and many of the Mackays on his side, Hugh took possession of his father's lands in 1579, being then

in his twentieth year. His brother Donald, and Niel Mackay, considered it most prudent to offer no opposition.

George Earl of Caithness died at Edinburgh in the year 1583,* where his remains were interred, except his heart, which having been extracted, and cased in lead, was placed in Sinclair's aisle at the church of Wick. He had been Earl of Caithness fifty-four years. "This Earl George lived too long," says Sir Robert. He was succeeded by his grandson George, eldest son of John, who died in prison.

Soon after his accession to the earldom, this George killed two bastard brothers, David and Inghram Sinclairs, who had been keepers of his father, and by whose means, it was reported, he was starved to death. David lived at Keiss, and Inghram at Wester. Inghram had invited a large company to his daughter's wedding: but if it commenced in merriment, it ended in tragedy. Earl George met David in the links of Keiss on his way to Wester, and run him through with his sword; he then proceeded to Wester, and shot Inghram in the head with a pistol, while he was playing at the foot-ball.

In the year 1583, Huntly, in consequence of a transaction with Sutherland, conveyed to him the superiority of Mackay's lands: by which, as the result of a long process of chicanery, he now got a part of that power over Mackay, the obtaining of which, both by force and fraud, had, during four centuries, been attempted in vain. Often does Sir Robert, in the sequel of his narrative, lick his lips on these honied words, *superior* and *vassal*, applying the former to Sutherland, and the latter to Mackay.

About the year 1585, a dispute had arisen between Niel Macleod, uncle of Donald Mackay, and Donald-Bane Macleod, husband of Ellenora, sister, full blood, of Hugh Mackay, regarding the succession of Assint. In a submission which they had entered into, the succession was awarded to Niel, who in consequence obtained possession. Donald-Bane complained to the Laird of Fowlis, in whose family he had

* His monument is still seen in the High Church. The inscription is effaced.

been brought up, who, by his interference, prevailed so far as that part of the lands of Assint was assigned to Donald, while Niel had the command of the country and of Ardvrack-castle,—a strong fort in a small isle in Lake-Assint, surrounded by deep water, but connected with the land by a draw-bridge. Angus Macleod, laird of Assint, had left three sons, John, Niel, and Hugh. John died in prison at Girnegoe, without issue, so that the succession fell to Niel, who was father of Donald-Bane: but he was executed at Edinburgh in the year 1581, for killing his brother Hugh, who had imprisoned him some time before, in consequence of some dispute between them. This Hugh was father of Niel Macleod above mentioned, uncle of Donald Mackay. It would seem that Donald-Bane's claim was lost in his father's forfeiture for killing his brother, and that that was the ground on which the award was given in favour of Niel.

In this state of matters, Hugh Mackay, accompanied by his own men, and a number from Caithness, invaded Assint, and laid siege to the castle of Ardvrack, to which Niel Macleod had betaken himself. Niel Mackay, the clan-Abrach chieftain, regretted much to see his kinsman Hugh pursuing courses which in the end must prove ruinous to himself; and Donald Mackay was, at the same time, vexed at the measures taken against his uncle, Niel Macleod. The earl of Sutherland likewise found himself imperiously called upon to interfere, because it threatened destruction to him, if Donald-Bane, who was allied to Caithness, as well as to Hugh Mackay should prevail. Niel Mackay and Donald Mackay, with the clan-Abrach, and a body of men from Sutherland, marched with all speed to Assint, to raise the siege. Niel sent a message to Hugh, to tell him that they came there with no hostile intention, but for peace, unless they were compelled to the contrary; and to advise him to desist from his improper pursuit: that this was the first instance of his clan having appeared against Mackay; and he therefore hoped he would act so as that no irreparable breach should be made between them. This had the desired effect; and that affair, which bore such a threatening aspect, was happily ended without blood-

shed. Some time thereafter, however, Niel Macleod was slain by some of Donald-Bane's accomplices; upon which he became laird of Assint; in return for which, Donald Mackay, assisted by the clan Abrach, invaded and spoiled that district.

In 1585, Lord Caithness, by marrying Huntly's sister, got in between him and Sutherland. The latter was also forsaken by his old trusty friends the Guns, who had assisted Caithness and Hugh Mackay during the late disturbances, and shewn themselves in various other instances more favourable to them than to Sutherland. The Earl of Sutherland supposed that he might gain Niel Mackay and his clan to his side, from the opposition which he had made to Hugh Mackay; but he seems not to have reflected, that that opposition was not from any disaffection to Hugh himself, or to the general interests of his country, but to prevent him from being made a tool of by Caithness, to promote measures injurious in the end to both. Sir Robert says, that Niel, whom he calls "Niel Mack-ean-Mack-William," *Niel, son of John, son of William,* "gave his dependance to the Earl of Sutherland." He did not, but merely took his assistance when the welfare of the family of Mackay required it. "By the mediation of some neutral and indifferent friends," continues Sir Robert, "a meeting was appointed to be at Elgin, in presence of the Earl of Huntly and other friends, for repairing of these alleged wrongs the Earl of Sutherland had then received," by the Guns having gone with Hugh Mackay to Assint, at the desire of Caithness. "At which meeting the Earls of Sutherland and Caithness were reconciled. Then was it concluded amongst them, that some of the clan Gun should be made away, chiefly such of that tribe as dwelt in Caithness, because they were judged to be the principal authors of these troubles and commotions." "The clan Gun are a race of people dwelling within the diocese of Caithness, and are divided among the three countries of Sutherland, Caithness, and Strathnaver. They are very courageous, rather desperate than valiant. They have such intelligence and correspondence among themselves, that they run all one course when any of them is pursued in any of these coun-

tries. In time of war they have always served the Earl of Sutherland and Mackay; in time of peace they have still made their gain and profit of the Earl of Caithness and his country; but he can hardly trust them with any service, chiefly against the Earl of Sutherland and Mackay; neither do they repose any great confidence in him."*

Lord Caithness was after all unwilling to expel the Guns, and Mackay was equally so, and they therefore departed from the agreement at Elgin. Huntly in consequence came north to Sutherland, and sent a message to Lord Caithness, and another to Hugh Mackay, to meet him there. The former went, but Mackay shifted the call, being aware that it was unsafe to put himself within the power of Huntly and Sutherland, and on that account Sutherland, by virtue of his justiciary power, denounced him rebel. A new agreement was entered into, whereby Caithness was to concur with Sutherland in the expulsion of the Guns; and the day and place when and where they and their men were to meet for the purpose, were named. Caithness was not hearty in the business; but, to save appearances, his men were sent, under command of Henry Sinclair, uncle of Hugh and William Mackay. Having been timeously informed of these proceedings, the Guns assembled from the three districts, in their own defence; and William Mackay came to their assistance with a strong body of men from Mackay's country. Upon his arrival he proposed that they should attack one body of their enemies before the other joined them; and that they should march forward to meet the men of Sutherland, who had not then come up: but this motion was overruled by the Guns, who were more inclined to set upon the Caithness-men. "So having the advantage of the hill, they set upon the enemy with a resolute courage. The Caithness-men came short with their first flight of arrows; by the contrary, the Guns spared their shot until they came hard to the enemy, which then they bestowed among them to great advantage. In end the clan Gun overthrew the Caithness-men at Auldgown, upon the borders of

* P. 182.

Caithness, the year 1586, and killed seven score of their most resolute men, with their captain, Henry Sinclair, cousin to the Earl of Caithness, and uncle to Hugh and William Mackay. William Mackay was sore for the slaughter of his uncle, Henry Sinclair, whom he knew not to be there till he was slain; but afterwards, in the chase William Mackay spared no man. The Caithness host had been all destroyed, had not the darkness of the night favoured their flight." "Hugh Mackay was then in Caithness, with Earl George; but the inhabitants of Caithness understanding that his brother, William Mackay, was with the clan Gun at the conflict of Auldgown, they sought for Hugh Mackay to slay him; whereupon he was forced in all haste to flee secretly into Strathnaver, thereby to eschew their present fury."*

This writer says nothing as to his countrymen being at this conflict, perhaps because he is unwilling to admit that they were beaten,—a fact which he never admits; but he, at the same time, leaves room to imply that they were guilty of treachery, which is much worse than a defeat. The day and place were fixed on for their meeting the Caithnessmen, and they did not appear, but allowed those to be cut down by a host which had laid their accounts to have the combined forces of Caithness and Sutherland to contend with.

In consequence of this defeat, Lord Caithness was exasperated against the Guns, and Hugh Mackay withdrew from them his support. Caithness and Sutherland, with their forces, met at Bengrime in Sutherland, along with Sir Patrick Gordon of Achindown, who was sent north by Huntly, with a determinate resolution to exterminate them. This service was now laid upon Sutherland, as his men had not come forward at the late conflict. The Sutherland-men, under command of William Sutherland, grandson of Alexander the heir, were joined by Niel Mackay and his clan, together with James Macleod, chieftain of the Slight-ean-Voir and the Macleods of his tribe. The Guns took the alarm, and fled towards the Western Isles; "but as they were on their journey thither,

* Sir Robert, P. 183.

James Mack-Rory (Macleod) and Niel Mack-ean-Mack-William, rencountered with them at Lochbroom, at a place called Leckmelm, where, after a sharp skirmish, the clan Gun were overthrown, and most part of their company slain."*

Finding that his plans had misgiven so much, Lord Caithness dealt earnestly with Huntly, his brother-in law, to endeavour to obtain for him the superiority of Mackay's country from Lord Sutherland, which he accordingly tried, but without effect; this was followed by Huntly's displeasure, and by a series of tumults between Caithness and Sutherland.

Having begun at length to see that it was like to be hurtful to his interest to continue his support to Lord Caithness' measures, Hugh Mackay resolved, with a view to effect a disjunction, to secure the friendship of his brother Donald, and Niel Mackay. He was satisfied that Niel was a man of integrity and great abilities, who had always studied his welfare, even when he opposed himself to his measures. Niel, on the other hand, was convinced that Hugh was possessed of talents superior in some respects to those of Donald, and he did not therefore wish that he should relinquish the succession. Having appointed an interview, Neil proposed that Hugh should give a reasonable proportion of his lands to Donald, and that they should forgive him all former injuries, which they could do the more readily, as they did not blame him so much as they did those under whose influence he had been in his youth. It was then agreed that Donald should have the whole lands and islands of Edderachillis, from Cape-wrath to Assint, together with the lands of Eriboll, and the islands Choery and Hoan, of all which Donald obtained immediate possession; and afterwards, upon Hugh's taking a charter from the Earl of Sutherland, he gave a charter to Donald, as shall appear. He also gave his brother William the lands of Strathalladale, which, though he was full blood, were much inferior in value, and not half in extent with those he allotted to Donald. But

* Sir Robert, P. 184.

as Hugh was prudent and far sighted, he judged wisely by placing his brothers in their respective positions,—Donald next to Assint, where his uncle Niel Macleod commanded at the time,—and William next to his relations, the Sinclairs of Caithness. Finding it necessary to secure the friendship of the Macleods in Durness, Hugh gave in liferent to their chieftain Donald, a bold ferocious man, the lands of Westmoin.*

In the year 1587, disturbances and tumults of a very serious nature, and threatening destructive consequences, arose in the north. It will be recollected, that Adam Gordon and his lady, in the year 1513, had disponed the lands of Strath-Helmsdale, to John, Earl of Caithness, for assisting them in maintaining their possession of the lands and earldom of Sutherland. This transaction was always an eye-sore to Adam's descendants, as the Earls of Caithness had opposed, in place of supporting their measures. A daring, insolent libertine, George Gordon, natural son of Gilbert Gordon of Garty, who possessed part of these lands belonging to Caithness, had given great offence to the Earl of Sutherland, by a certain criminal habit in which he persisted, notwithstanding of his remonstrances. "George Gordon," says Sir Robert, "in order to reconcile himself with the Earl of Sutherland, offered many contempts and indignities to the Earl of Caithness; upon one occasion he did cut the Earl his horses tails, as they were led by some of Earl George his servants, in passing the river of Helmsdale, upon their journey from

* There are many strange stories told of this Donald Macleod, known by the name of Donald Mac-Murrach-Mac-Ean-Voir, one of which is—An acquaintance came to ask his advice; he said he had killed a man, and his mind was continually disturbed in consequence; he wished to know how he enjoyed such tranquillity, who had killed so many. "Hout man," said Donald, "is that all? go and kill another; after I killed the first I felt the same as you do; but when I killed the second, I was no more troubled about it." He was a terror to the country-side while he lived; and when he died, the people would not permit his body to be laid in the common burying ground: it was therefore interred on the north side of the church of Durness. The following epitaph was applied to him:

"Donald Macleod here lies low,
Ill to his friend, cruel to his foe."

Caithness to Edinburgh, desiring the servants to tell unto the Earl their master, what he had done."

At the request of Caithness, Huntly wrote to Sutherland, to punish Gordon for his audacity, and make him desist for the future; but as this had no effect, and as he now considered Sutherland himself as implicated in Gordon's misdemeanour, Earl George threatened to invade the district of Sutherland, unless Gordon was delivered up to him. This also having met with a refusal, Caithness, accompanied by John, Earl Carrick, brother of Patrick, Earl of Orkney, and Hugh Mackay, proceeded as far as the river of Helmsdale, where they were met by Sutherland, accompanied by Mackintosh, Mackenzie of Redcastle, Niel Macleod of Assint, and Hector Munro of Contaligh. The river being between the armies, they exchanged shots for some time, by which some were wounded. At length Sutherland sent Mackintosh across the river, to endeavour to prevail with his friend Mackay to desert Lord Caithness. "He did endeavour with all his might," says Sir Robert, "to persuade Mackay to leave the Earl of Caithness, and to come in to *his superior*, the Earl of Sutherland. He declared unto Mackay, out of the love and amity which had been formerly between their two families, how dangerous it was for him to fight or bear arms against *his superior*, and therefore he desired him to look unto himself; yet all this would not move him: Mackay could not then be persuaded to leave the Earl of Caithness. In this meantime, some well-affected friends on either side had taken pains to deal between the two earls. At last, by their mediation and travel, the 9th day of March 1587, there was a truce concluded for a certain space, and Mackay was left and exempted out of the truce, otherwise Earl Alexander would by no means condescend to any assurance; because Mackay was *his vassal*, with whom he would have no truce, if he did not absolutely submit to his mercy, which Mackay refused to do, and so departed home into his own country, grieved in his heart that the Earl of Caithness, with whom he endangered his estate, should have settled with Earl Alexander without him. The two earls dissolved their companies, and retired themselves. Hereupon the

Earl of Sutherland took occasion to deal with the Earl of Caithness, for suppressing of Mackay. A tryst was appointed between them at Edinburgh to that effect; where having met the year 1588, they determined both to invade Mackay, and all parties were sworn to keep the resolution secret; which the Earl of Caithness, nevertheless, observed only as long as he lacked commodity to reveal the same; for presently he advertised Mackay of all: who being well acquainted with the Earl of Caithness his intention, would not trust him; but considering with himself how he was beset on all hands, his life and ruin sought, and the small assurance which was to be had in the Earl of Caithness his friendship, he wisely reconciled and submitted himself to *his superior*, the Earl of Sutherland, by the advice of Mackintosh and the laird of Fowlis. Thus Mackay seeking all means possible to leave the Earl of Caithness, and the Earl of Sutherland seeking by all means to draw Mackay unto himself; a meeting was appointed between Earl Alexander and Mackay at Inverness. So having met there, and conferred together, they appointed a second tryst at Elgin, where they passed a contract between them, and made a perfect and final reconciliation, in the month of November 1588; and so Mackay did join with him against the Earl of Caithness: since which time he continued always both loyal and faithful to the Earl of Sutherland."*

There is here a pretty full disclosure, highly complimentary, however little intended, to Mackay; though at the same time, the truth is not fairly unvailed in his favour; and a good deal of varnish is used to set off Sir Robert's father, while Lord Caithness is too much black-balled.

It is perhaps true that Mackay did not place very great confidence in Lord Caithness; and that he had been meditating a disjunction from him as occasion might serve; but it is also true that he placed as little confidence in Sutherland. At that great hostile gathering, however, it was Mackay's interest to join with Caithness: for if he had been overcome,

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* P. 192—195.

Mackay had no good to expect from Sutherland. "Love and amity," had indeed always subsisted between the houses of Mackintosh and Mackay. The former, besides, was an honest man, in whom Mackay had full confidence; and therefore Sutherland could not have pitched on a fitter person to send to Mackay. It must have been an unpleasant embassy to Mackintosh to persuade his friend Mackay to act the part of a traitor, notwithstanding that the dirty ill-gotten *superiority* hung over him. Mackay owed him no field service on that account, and there was still a hole in Sutherland's deed of superiority, as will appear afterwards. Mackintosh, no doubt, did commend, and Sutherland should have revered Mackay's firmness and honesty. There is every ground to believe that he would have obtained advantageous terms from Sutherland, had he sold Caithness at that critical juncture, while he had nothing to expect for his fidelity but the wrath of *his superior*, which very soon appeared. Caithness could scarcely be blamed for agreeing to the truce without Mackay, being aware, not only that it would prevent much blood-shed, but that Sutherland of himself would not undertake to pursue Mackay; and that Mackintosh, Munro, or Macleod, would not assist him in so doing; nor need it be questioned that Mackay had even advised Caithness to conclude matters without him.

Sir Robert now, for the first time, admits that Sutherland, even with his lately acquired advantages, was unable to take the field against Mackay; and that, sensible of this, he endeavoured to prevail with Caithness to join his forces to his for the purpose; and he went to Edinburgh to advise, doubtless, with his friends and lawyers regarding the matter. He entered into a covenant with Caithness, confirmed by an oath of secrecy, that both should invade Mackay. There seems to be no ground for accusing Caithness of perjury in this case. Mackay might have received the notice through other channels; and at any rate, all the benefit he could have derived from such notice, was to put him on his guard, which he would have been equally without it, because it was not practicable to raise the forces of Caithness and Sutherland, or either of them, without his knowledge. The true state of the case is, that Sutherland, not-

withstanding of their covenant and oath, had no hopes that Caithness would concur in the intended invasion; and he therefore took a more political and effectual measure to gain Mackay; such a measure as has overcome the greatest sages and heroes.

Lord Sutherland's eldest daughter, Lady Jane, was beautiful and handsome, and was then in her fifteenth year, and Hugh Mackay was only twenty-eight. Sutherland commissioned Mackay's two friends, Mackintosh and Fowlis, to treat with him so as "by all occasions to draw him unto himself." Situated as Mackay was, the proposal to marry this young lady was fascinating, and even irresistible; and being assured by his friends that Sutherland was sincere, he agreed to an amicable meeting. They accordingly met at Inverness; and having adjusted preliminaries, they adjourned to meet at Elgin, so as Huntly might perhaps attend to see the treaty concluded.

"They passed a contract between them." But it would be rather too condescending, and much below his dignity, or less suitable to his general design, for Sir Robert to say, that, on his father's part, his eldest sister, Lady Jane, formed the prime article in that contract. He merely mentions their marriage as a matter by the bye, five pages forward. He had said, page 195, that the contract was entered into in November 1589, but says nothing of its contents: and page 200, he writes, "Hugh Mackay, in December 1589, married Lady Jane Gordon, the daughter of Alexander Earl of Sutherland, she being then fifteen years of age, a lady of excellent beauty and comeliness, witty, indued with sundry good qualities both of body and mind." She was born the 1st of November 1574; and Sir Robert in 1580.

If Hugh Mackay was faulty in thus deserting, and otherwise acting against Lord Caithness, who had never done him any injury, he made no profit by it, or by connecting himself with Sutherland. The Sinclairs, no doubt, had their faults: but the Gordons had theirs in no less degree. The policy and displeasure of the former were more easily discovered, and consequently more readily avoided; while those of the Gordons were more deep and abiding. Each had their wide grasp; but that of the Gordons was excessive and gigantic: to which it must

be added, that the principal cause of the downfal of the Caithness family, was, their being forsaken by Mackay; and that he was the chief instrument in saving and exalting the sinking family of Sutherland, to the great detriment of his own, after his time, as shall be seen in the sequel.

Soon after Sutherland and Caithness disbanded their forces, George Gordon was killed by George Sinclair of Mey;* and the Earl of Sutherland having complained to the king, he obtained his commission to apprehend the Earl of Caithness, and imprison him until he would give up the persons concerned in that slaughter. The result will be given in Sir Robert's own words.

"The Earl of Sutherland being accompanied by Mackay, Mackintosh, the laird of Fowlis, the laird of Assint, and Gilcalm Rasay, passed with all his forces into the country of Caithness, by virtue of a commission which he had obtained at court, by means of Chancellor Maitland, against the Earl of Caithness, for killing of George Gordon. Earl Alexander never staid his course until he came to Girnegoe, where he encamped, and staid twelve days about that strong fort. The inhabitants of Caithness fled, straggling and wandering in the wilderness, upon the fame of his approaching host. The Earl of Sutherland pursued his enemies even to Duncan's-bay: divers of the Caithness-men were then killed, and a great prey of cattle and goods was taken away, the like whereof was not seen in that country for many years; all which was divided among the army. This happened in February," 1589 "and was called La-ne-craigh-mor, that is, *The day of the great spoil.* They burnt and wasted the town of Wick, but they saved the church, where the Earl of Caithness his heart was found in a case of lead, the ashes of which heart was thrown with the wind by John Mack-Gilchalm-

* 28th March 1588. Remission by King James VI. to George Sinclair of Mey, and six accomplices of the slaughter of George Gordon, natural son of Walter Gordon of Golspytour.—*Great Seal Register.* There seems to be a mistake here as to the father's name and title. Sir Robert calls the holder of Golspytour *John Gordon,* concerning which there is no reason to think he was incorrect.

Rasay.* At this time did Hugh Mackay first try and shew himself in the Earl of Sutherland his service, wherein he was very forward, sparing neither fire or sword against the inhabitants of Caithness. In end Earl George desired a parley and conference, which Earl Alexander granted, considering that the Earl of Caithness had strongly fortified himself within the castle of Girnegoe, and had prepared all things for a long siege; and so some friends met on either side, betwixt Wick and Girnegoe, by whose travel and mediation the Earl of Sutherland restrained his army from doing any further hurt. All controversies and debates between the two earls were referred to the decision and arbitration of friends; the Earl of Huntly was appointed oversman and umpire by both their consents, and a truce was taken between both parties until the friends should meet.†

On the part of Sutherland, there was extreme rigour in this affair. What he proposed to Caithness was tantamount to impossibility; namely, that he should deliver up those who had slain George Gordon to punishment; which he could not do, because they acted by his special command. Perhaps Gordon's punishment was too severe; but he was the aggressor, and to gratify Sutherland, "had offered many contempts and indignities" to Caithness; and the latter had written to Huntly to request Sutherland to check the fellow's audacity and impudence; but that had no effect; so that in fact Sutherland himself was an accessary in the quarrel. It was necessary, in those times, for the nobles and barons to support their dignity and respectability, otherwise absolute anarchy would have ensued.

This invasion was succeeded by reciprocal plunderings and spoils, with some loss of men. "Then the laird of Murkle, the Earl of Caithness his brother, assembled the forces of Caithness, to the number of three

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* 6th February 1594. John MacGillichallum Rasay and others, denounced rebels for a spulzie committed on Alexander Bayne of Tulloch, of 240 cows, 500 sheep, 200 goats, and 20 horses.—*Privy Council Record.*

† P. 196-7.

thousand men, and entered into Strathully; they burnt the house where the spies lay who were appointed to watch the borders, and killed three of them: the fourth escaped through the flames from the whole Caithness army, and presently advertised his countrymen of the enemy's coming." "James Sinclair of Murkle passed forward with his army, from Strathully unto a place called Crissaligh, in the height of Strathbrora, and began from thence to drive away some cattle homeward towards Caithness. Hugh Mackay was then at Dunrobin, and he was sent by Earl Alexander to make head against them, until he should come with greater forces; so Mackay assembling speedily some five or six hundred of the inhabitants of Sutherland, with these he made haste towards the enemy, whom he followed with all possible diligence; and having used extraordinary celerity in his march, he overtook them, contrary to all expectation, not far from Crissaligh, ranging without order or military discipline. Mackay, with bold adventure of his own person, of all the rest most forward, crossed the water which was between him and the enemy, with some few gentlemen in his company, to rescue John Gordon of Kilcalmkill, and some others who had engaged themselves too far in the fight before Mackay his coming: and although the danger was apparent, yet the Sutherland-men were ashamed to forsake him, who did fight so manfully in their defence, with a resolute courage and undaunted heart. So joining altogether, and gathering courage upon emulation, they rushed all forward with great violence, and boldly set upon the whole Caithness army. After a sharp and long skirmish, they recovered and brought back the cattle with their fortunate rashness, and made the laird of Murkle, with all his army, leave both the fighting place and the country, with some loss of his men."*

The scene is now wonderfully changed with regard to Mackay: he is now alert, skilful, bold, courageous, victorious, and every thing; far beyond all his forefathers; and the reason is so plain that it need not

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* Sir Robert, P. 199.

be mentioned. This tale is, however, much exaggerated. About fifteen hundred would be the maximum of all the fighting men that Caithness could then produce; and six hundred men would drain all Sutherland: so that the statement, that Earl Alexander was to follow Mackay "with greater forces," is one of the writer's pompous flourishes. After this, by Huntly's interference, "a friendly meeting was appointed to be at Elgin." "Having met at Elgin, all questions and controversies were settled; and to the effect that this reconciliation should the longer endure, there was then an heritable bond subscribed by the Earls of Sutherland and Caithness, whereby Huntly and his successors were appointed heritable judges and arbitrators of all debates and controversies which should from thenceforth arise between the two families and houses."* But this agreement was of short duration.

In October 1590 the Earl of Caithness invaded Sutherland with all the forces he could muster. The greater part of them were led by Donald Mackay of Scoury, who had fled to Caithness to avoid his brother's displeasure for his having invaded and spoiled Assint, in reprisal for the slaughter of his uncle Niel Macleod. A hot conflict ensued. "The inhabitants of Sutherland," says Sir Robert, "thrice chased the Earl of Caithness his archers unto the bosom of the army; which archers being well near 1500 were conducted by Donald Mackay of Scoury, who still renewed and encouraged his company to stick to it. The encounter was great, the combat furious and long, the arrows and shot flying like hail about them." "The Earl of Caithness his main battle was thrice in disorder, and in a confused tumult, ready to break away when their archers were driven back upon them, which, without doubt, they had done, if Donald Mackay had not stayed them, who played the part of a good commander."† Night at length parted them. "In this meantime that the Earl of Caithness was now in Sutherland, Hugh Mackay, a man lacking neither skill nor resolution in case of difficulty, entered into Caithness, wasted, burnt, and spoiled much of that country, even to the

* P. 200. † P. 202, 203,

gates of Thurso, and brought home a great booty, without let or impediment, which he divided amongst his countrymen after their custom."

Caithness now saw evidently, that it was in vain to contend with Sutherland, after Mackay had become his ally, and that it was therefore his interest to have an end put to those controversies; which was effected by means of Huntly. "The Earls of Sutherland and Caithness, by the earnest travel and mediation of the Earl of Huntly, and other well-affected friends, met at Strathbogie, where a final accord was made in the month of March 1591." "Alexander, Earl of Sutherland, disponed and gave some of the feu-lands of the bishopric, lying within Caithness, to Earl George, for the ten davochs lying on the east side of the river of Helmsdale, which had formerly been given by Adam, Earl of Sutherland, to John, Earl of Caithness." All the lands along that river which comparatively is worth the having, lies on the east, or rather north-east side of it.

Here a period was put to these commotions, during the three following years that Lord Sutherland lived, and for some time thereafter. He died in December 1594, in his forty-third year, and was succeeded by his son John, who was then in his eighteenth year.

In the year 1598, John Earl of Sutherland set out on his travels to France, and other countries on the continent. "During his absence," says his brother, "the Earl of Caithness thinking this a fit opportunity to perform something to his advantage, caused William Mackay, who was always suspected to favour the Earl of Caithness, deal with his brother Hugh Mackay, to try, if by his licence and attollerance, he might come to hunt in the forest of Durness. Hugh Mackay his answer was, *that although his superior the Earl of Sutherland was absent, yet he would take so much upon himself*, as to welcome the Earl of Caithness, so that he would come privately, accompanied with some few gentlemen, and his own household servants. The Earl of Caithness had in this meantime assembled all his countrymen; and, under the pretence of hunting, intended to come into Sutherland, to perform some stratagem, under colour of his justiciary, long before annulled, and by him dis-

charged. Mackay having some intelligence of his practice, sent message unto him, shewing, that because he intended to come in that fashion, with his forces, he would not suffer him to enter into these countries, beyond his own marches and limits; whereupon they enter to brag on either side. In the very time of this variance, the Earl of Sutherland returned out of France. The Earl of Caithness then delayed his voyage for a while, only to see how the Earl of Sutherland would take this kind of dealing."*

More and more vain glory! The absence or presence of John, a raw stripling, was but of small account to Lord Caithness: but this nobleman knew well from experience, that he had to do with a man who was alike able and expert, both in council and the field: and that, and that only, made him delay "his stratagem." The vain man who relates the matter, forges words for Mackay, which he never expressed. "Although his superior the Earl of Sutherland was absent, yet he would take so much upon himself." That scrannel note, *superior*, was not such sweet music to Mackay, as to his brother-in-law; and no long period had intervened, since he had given a proof of how little regard he paid to that superior, by taking the field with Lord Caithness against him. Mackay was doubtless adventuring on a hazardous undertaking, by consenting to allow a nobleman to whom he was related, and had been allied, to hunt in *his own* forest, in absence of one, who, with all his superiority, durst not pull a trigger there without his permission. The fact was, and Sir Robert knew it well, that ever since his father's death, Mackay defended, and, during John's absence, governed both countries: and according to his own repeated admissions, there was none in either district so fit for the charge.

"The Earl of Sutherland assembled all his forces in the month of July 1601 years, to hinder and stop the Earl of Caithness his purpose and determination to hunt in his bounds. Mackay with his countrymen met the Earl of Sutherland in the heights of Sutherland; the Munros also came to his aid, conducted by Robert Munro of Contaligh; the

* P. 240.

laird of Assint came in like manner to assist him. Whilst they were thus assembling, the Earl of Caithness came towards Sutherland with his army. The two hosts were encamped within three miles of one another, beside the hill of Bengrime, ready to encounter the next morning; which no sooner appeared, than the Sutherland-men prepared themselves for battle, near unto a place which lay between the two armies, called Leayd-Reayfe—a fit and convenient place for the purpose; of the which place they have a prophetical tradition in these countries, that there shall be a battle foughten by the inhabitants of Sutherland, assisted by the Strathnaver-men, against the Caithness-men, and that the victory shall incline to Sutherland; where, nevertheless, the inhabitants of Sutherland shall have a great loss; Strathnaver greater; but Caithness shall be then so overset and overthrown, that they shall not be able for a long time to recover again, so great shall their losses be. The inhabitants of Sutherland thinking assuredly this to be the fixed time and period of that prophecy, could hardly be detained from invading the enemy without delay."*

"The Earl of Caithness sent messengers unto the Earl of Sutherland, desiring him to take in good part what he had done, which had proceeded thus far in Mackay's default for bragging and daring him so much; that he therefore would suffer Earl John with his army to go if he listed, twice as far into Caithness as he had come into Sutherland; and further, that timely next morning he should retire homeward into Caithness with all his company. The Earl of Sutherland assembled his special friends, to deliberate with them what was fittest to be done in this matter. Mackay, with some others, advised Earl John to fight, in respect that having assembled so good and resolute a company to that intent, he was now to shew to the world what stuff was in him, this being his first enterprise: as the enemy would find him herein, either

* A more applicable interpretation of the prediction seems to be, that Sutherland, by contending with Caithness, should lose much; that Mackay, by assisting Sutherland, should lose more; and that Caithness, by contending with both, should almost lose all.

forward or cold, he would ever in time coming presume of him in the same manner. Others again were of the contrary mind; saying, that it was neither fit nor reasonable to fight, nor hazard so many lives for so slight a subject, in respect there was so good satisfaction offered. In end, this answer was returned in the evening, That if the Earl of Caithness with his army would stay where they were until sun-rising the next day, they should be assured of battle. Herewith the messengers returning to the Caithness camp, put them all in such a fray that it was not possible for Earl George to retain or stay them, although he did watch in person all that night. Yea, he could not by his countenance and speech still to provoke and persuade them to stay, promising largely and without measure; yet leaving their stuff and carriage they went away by break-of-day in a fearful confusion, flying and hurling together in such headlong haste, that every one encreased the fear of his fellow companion, upon the good report that was made by their own men, of the Earl of Sutherland's army, which by this time had advanced in this order: Mackay, with the Strathnaver-men, were on the right wing; the Munros and the Assint-men were on the left; Earl John himself, with the Sutherland-men, were in the middle battle; having sent his van-guard a little before him, conducted by Partrick Gordon of Garty and Donald Mackay. William Gun, Mackamish, and some of the Gordons, were sent to draw a circuit about, and secretly to compass the enemy, thereby to invade them at their backs, when and where they least expected. In this order and array, they march on timely in the morning, toward the place where the Earl of Caithness was encamped. The van-guard of the Earl of Sutherland being come hither, and perceiving that the enemy was gone, they staid for the rest of Earl John his army. Then they resolved to follow the Earl of Caithness his army; but first they gather a number of stones, and throwing them in one place, called the same Carne Teaghie, that is, *the Flight Cairn, or heap in memory of the flight*, which is yet to be seen hard by the hill Bengrime.*

* P. 240-2.

This statement, in so far as regards the description, is very well; but as to facts there are apparently some defects; and the narrator's usual spice is not spared. The whole of the quarrel was between Lord Caithness and Mackay; and it is quite unreasonable to suppose, that the former should ask leave to hunt, having all the men of Caithness in his train. The disputes between Caithness and Sutherland had been set at rest several years before. But Caithness entertained a mortal enmity against Mackay, who had injured him, in various respects, more than ever Sutherland did. Mackay was the prime actor and leader in the opposition made to Caithness, and Sutherland came merely to assist him: less therefore, and with more modesty, should have been said about the latter. After the Caithness-men had retired, it was agreed that some gentlemen of either army should be sent to see the rest disbanded; in consequence of which, Alexander Bain, chieftain of the Bain-Mackays, was sent by Lord Caithness, and George Gray of Cuttel was sent by Sutherland and Mackay, who accordingly witnessed the dissolution of the respective hosts.

Several very remarkable and interesting anecdotes are told of Niel Mackay's nurse. She is said to have been so much attached to him, as generally to have accompanied him to the field of battle. On one occasion she brought her seven sons along with her, to accompany their chieftain: and as he happened, during some part of the engagement, to be dangerously beset by a company of archers, she took one of her sons and placed him in front, to defend him from the enemy's arrows; when this one was slain, she placed another, and so on, till all her seven sons were either slain or wounded, still exclaiming as they fell, "*Apran ur eir bealibh Naile.*" i. e. *A new apron to Niel!* In another conflict, Niel, being sore wounded with a poisoned arrow, and lying on the ground in great pain, when he saw his nurse coming towards him, immediately called out, to keep her away, as she would only torment him, without being of any service in his present condition. She was not, however, to be so restrained; but, lying down upon him, carefully ex-

tracted the deadly weapon, and with her mouth sucked out the poison. He soon after completely recovered.

In August 1602, John Earl of Sutherland, accompanied by his brother Sir Robert Gordon, Hugh Mackay, Donald Macleod of Assint, and others, went by invitation on a visit to Patrick Stuart, Earl of Orkney. They embarked at Cromarty in an armed vessel belonging to the latter, and having landed at Kirkwall, and been splendidly entertained there for a week, and as long at Birsay, they returned in the same vessel to Cromarty. Earl Patrick resided alternately at Kirkwall and Birsay, distant from each other about 22 miles. The ruins of his palaces discover them to have been princely residences. That at Birsay was built by his father Robert Stuart, Earl of Orkney, Queen Mary's natural brother. It was of a quadrangular form; the side of which being about forty yards, with a court in the centre, and colonades in front. The Kirkwall palace was built by Earl Patrick, the hall of which has been magnificent, about fifty feet long, twenty broad, and sixteen in height, with two chimneys, the opening or fire-place of one of them, sixteen feet in breadth; at one side of which the letters P.E.O. the initials of his name and title, are quite distinct. One is a good deal struck to see such grand and costly edifices in so remote and insular a part of the world; and still more with the cathedral of Kirkwall, a little to the east of the palace, standing "proudly eminent" in the centre of the town, in length 226 feet; in breadth at the cross 96 feet; in height from the floor to the ridge of the roof 71 feet; and to the top of the spire 140 feet. The original top of the steeple was struck down by lightning, and the present is said to be but a paltry substitute for it.

It was formerly stated that Angus Murray had obtained from James I. a charter of the lands of Bighouse and others, which had belonged to Thomas Mackay. In the year 1592, a Roderick Murray, who claimed the lands of Bighouse, brought a complaint before the privy council, against William, brother-german of Hugh Mackay, for ejecting him

from these lands.* But Murray's claim was found to be untenable; and a charter having been granted to William Mackay, by his brother Hugh, it was afterwards confirmed by King James VI. There were also other charters granted to the Mackays a few years after.†

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* 14th September 1592. "William Mackay of Golval of Durness," denounced for not answering summons at the instance of "Rory Murray of Biggoueis," for ejecting him from the "lands of Biggoueis, which he holds in feu of his Majesty," casting out his wife and children who were strangers, and seizing his goods.—*Privy Council Record.*

† 18th December 1598. Charter of confirmation by King James VI. to William Mackay of Balnakeel and Isobel Mackenzie his spouse, of the lands of Bighouse, &c.—*Great Seal Register.*

26th May 1608. Charter of confirmation by King James VI. of a charter dated 6th June 1606, granted by John Earl of Sutherland, "To our beloved Hugh Mackay Forbes of Far, in liferent for all his days; and to Donald Mackay Forbes his eldest son, and the heirs-male lawfully begotten of his body; whom failing, to John Mackay Forbes, the second son of the said Hugh Mackay Forbes, and the heirs lawfully begotten of his body; whom failing, to the heirs-male betwixt the said Hugh Mackay Forbes, and Jane Gordon his spouse, begotten or to be begotten; whom also failing, to the heirs-male of the said Hugh Mackay Forbes, lawfully begotten or to be begotten of his body; whom all failing, (which Heaven forbid!) to William Mackay Forbes, brother-german of the said Hugh Mackay Forbes, and to the heirs-male lawfully begotten of his body, or to be begotten; whom also failing, to Donald Mackay Forbes of Scoury, and the heirs-male lawfully begotten of his body; all of whom failing, to the nearest male heirs of the said Hugh Mackay Forbes of Far, whomsoever, wearing the title and arms of Mackay Forbes, of all and sundry the lands, milns, fisheries, and woods under written, &c." Comprehending all the lands and others from Caithness to Assint, and several lands in Caithness and Sutherland.—*Great Seal Register.*

"Ane instrument of sasing of the lands of Skowrie and uthers presentit be Charles Pape notter publict in name of Donald M'Ky, and regrat the last day of April 1606 yeir." Proceeding on a feu-charter granted by "an honourable man, Hugh M'Ky of Far, to his brother Donald M'Ky, of the town and lands of Kenlochbervy, Airdmore Airdbeg, Tarbet, Foinedall, Laxford, and salmon fishing thereof, Skowriebeg, Skowriemore, Kylestromebeg, Kylestromemore, Edderachilles, Island Handa, Sandwood, Alsharbeg, Asharmore, Gisgill, Badcaul, Dowarts," in one sasine to be taken in Skowriemore; "as also the town and lands of Island-Ruyes; (Hoan) the town and lands of Ereboll, and lands of Island-Chorie, with the sheallings, grazings, and forests of Dirrimore, &c." Which charter is dated at Dornoch the last day of December 1605-6.—*Register of Sasings.*

30th April 1606. Sasine in favour of Euphame Munro, spouse of Donald Mackay of Scoury, in the lands of Ereboll, and Islands Chorie and Ruadh, (Hoan) for her liferent, on a precept by her husband, dated 25th February 1606.—*ib.*

30th April 1606. Sasine in favour of Moriella or Mora M'Ky, spouse to Donald Nielson (Macleod) of Assint, in the lands and barony of Assint, for her liferent.—*ib.*

John Sutherland of Berridale, nephew of Hugh Mackay, having been much harassed by Lord Caithness, and after having endured several losses, resolved at length to retaliate. Assisted by some of the clan-Abrach, he took to himself ample redress; for which he was summoned by Lord Caithness to appear before the council at Edinburgh; but having been advised that it was dangerous for him to go to Edinburgh, he failed to appear, and in consequence was denounced rebel, and forfeited; and being obliged to abscond for his personal safety, his lands and goods were seized by Lord Caithness. He fled to the heights of Strathnaver and Sutherland, from whence he made many inroads into Caithness, and took away great droves of cattle. Lord Caithness sent a large company of the M'Ivers and others in quest of John Sutherland, who, after a long and fruitless search, were informed that they would find him at the river Shin in Sutherland. They posted thither; but John, who had been apprised of their coming, lay in ambush in a convenient place, near to where they were to pass; and when they came up, he and his associates sprung suddenly upon them, killed some, and chased the rest, who made the best speed they were able homeward.

Despairing of getting hold of John Sutherland, Lord Caithness caused summon his assistants to appear before the council, and Hugh Mackay for harbouring them.* Hugh went to Edinburgh, and was met there by his brother-in-law, Sir Robert Gordon, who had been knighted by King James in the year 1606. Hugh was anxious that an end should be put to these disturbances; and by the advice of friends he proposed a meeting with Lord Caithness for that purpose. They accordingly met, when Lord Caithness refused to agree on any lower terms than that John Sutherland should be delivered up to him, to be imprisoned twelve

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* "Complaint at the instance of Sir Thomas Edmonston of Binns, king's advocate, and Angus Kennethson in Kinsary in Berridale, and other tenants and servants to the Earl Caithness, and him as their landlord and master; against John Alister-Anguson *alias* Sutherland, sister's son to Hugh Mackay of Far, and the said Hugh Mackay, and Murdo Naverach, (Abrach) William Naverach (Abrach) his brother, Roderick John-Nielson, William Alister-Williamson, and others." 9th March 1609.—*Privy Council Record.*

months at least, he pledging himself to inflict no other punishment upon him. Mackay, who judged it most prudent to comply, agreed to the proposal; and as he was ever true to his promise, he sent Sutherland to Castle Girnegoe, where he was imprisoned.

In the month of August of that year, Donald Mackay, who was afterwards Lord Reay, married Lady Barbara Mackenzie, daughter of Lord Kentail, he being then twenty years old. He made frequent visits to Lord Caithness, to endeavour the liberation of his cousin John Sutherland; and at length obtained his lordship's promise to that effect, on condition that his father and he would spend their christmas with him at Girnegoe. Hugh and his brother William went, but Donald was prevented by some occurrence. They were well entertained for several days, and parted apparently good friends; and John Sutherland was liberated, and allowed to return to his possession of Berridale. William Mackay of Bighouse was always in terms of amity with Lord Caithness, and neither he nor any of his descendants had cause to regret that such was the case. William died soon after his return home, being about forty-eight years old, and was succeeded by his eldest son, Angus, who married Jane Elphingston, niece of Lord Elphingston, treasurer of Scotland. She was cousin-german of Lady Ann Elphingston, Countess of Sutherland, and of Lady Forbes. Probably her father was James Elphingston, one of the senators of the college of justice.

A most unfortunate and injurious occurrence to Lord Caithness fell out about two years thereafter, which Sir Robert narrates at great length in all aggravating bearings. One Arthur Smith, an ingenious workman, as a smith and founder, together with his partner, had been detected at Banff in making counterfeit coin; and having fled to Sutherland, they were both apprehended there, and sent to Edinburgh in the year 1599, where they were imprisoned until their trial took place. Smith's accomplice was condemned and burnt to death, but he himself was reserved for further trial. During his confinement he made a lock of such curious construction, that nothing to equal it had been seen in Scotland; and having made a present of it to the king, it procured him

a respite. The treasurer, Lord Elphingston, regretting that such a rare workman should be lost to society, at length obtained for him his liberty. Smith then went to the north; and having introduced himself to the Earl of Caithness, was retained by him in the most retired apartment of Castle Sinclair, which he had lately built beside Castle Girnegoe, where Smith carried on his operations. Sir Robert Gordon having been in London in 1611, informed the king, who granted a commission to him jointly with Donald Mackay, and John Gordon of Embo, to apprehend Smith. This was an irksome and difficult task to Sir Robert, who, though he courted the honour, and was eager enough to have a hit at Lord Caithness, saw the employment to be accompanied with danger: and he was also apprehensive that Donald Mackay might decline the service, because of the late agreement with Lord Caithness; and that John Gordon would not engage in it without Mackay. Some circumstances soon occurred, however, which allayed his fears.

One William Gun, a native of Strathnaver, was at that time in the service of Lord Caithness, and being a fit person for any desperate enterprise, was much employed in distressing such Caithness people as had offended his lordship; and as William's hours were tedious when he was not so employed, to keep himself at work he stole his lordship's horses and cows, and sold them where he could find a market. He had the precaution to obtain his lordship's written orders for the deeds he had executed at his desire, and many of these were of such a nature as obliged him, after he could no longer tolerate Gun, to be silent as to those who harboured him. Gun, however, was apprehended in Tain, where he was found performing some of his pranks, but was rescued by the Munros, out of compliment to Mackay, as he was a native of his country, until his advice could be had as to his disposal; and in the meantime he was secured in the tower of Fowlis. Affected either by the horrors of confinement, or the uncertainty whether Mackay would concern himself about him, he endeavoured to effect his escape, by leaping from the battlement of the tower, but, having hurt his leg in the fall, was soon overtaken. The laird of Fowlis was so of-

fended at his attempting to get off, that he delivered him to the magistrates of Tain, who sent him to Sir William Sinclair of May, sheriff of Ross, by whom he was conveyed to Lord Caithness, who put him in fetters in Castle Girnegoe. He was not long there, however, when he shifted off his fetters, and by leaping from the castle into the sea, swimming ashore, and making his way through places least frequented, he arrived safely in his native country. These things happened in the year 1612. William Lord Berridale was sent by his father in pursuit of Gun, and having had information that he was at Golvall in Strathalladale, he and his company went there; but too late, for Gun had fled. Berridale apprehended one Andrew Henderson, who resided there, on suspicion that he had been accessory to Gun's flight, and brought him to Girnegoe, where he was imprisoned and fettered.

Hugh Mackay and his son Donald were highly offended at this proceeding; and the former caused summon Lord Caithness to present Henderson at Edinburgh to be tried, if he had any charge to bring against him; which he having obeyed, Henderson was found innocent, and put under Sir Robert's protection, who had represented Mackay in the action. This affair extinguished the precarious or short-lived friendship between Caithness and Mackay, and removed every delicate feeling which Donald had entertained as to executing the commission against Arthur Smith.

Smith had removed to Thurso, to carry on his treasonable craft; and whether Sir Robert thought the execution of the commission hazardous, or whatever else was the cause, he got it shifted over on his colleagues, Donald Mackay and John Gordon, who, having collected a number of men from their respective districts, proceeded to Thurso, where, after some hours search, they arrested Smith, and found some base gold and silver coin in his house, and about his person. They immediately mounted him on horseback, and sent him under a guard, a little distance westward of the town. In the meantime the alarm bell was rung to assemble the inhabitants, and an express sent to John Sinclair of Stircoke, James Sinclair of Durren, James Sinclair brother of the laird of Dun, and others who

were at Thurso castle, to inform them of what was going on. These gentlemen having arrived while the commissioners were satisfying the magistrates that they were acting under the king's authority, John Sinclair swore, that whatever authority they had, he would not allow his uncle's servant to be apprehended without his knowledge: upon which a serious scuffle ensued, in which John Sinclair and some of the inhabitants were slain, and laird Dun's brother was severely wounded.* In the meantime the guard killed their prisoner Smith, to prevent his escape, and then hastened back to town, to assist their friends. The inhabitants at length giving way, Mackay and Gordon drew up their men on the links of Ormly, adjacent to the town, and waited for some time, to see if any pursuit was intended. Sir John Sinclair of Greenland, the laird of Dun, and others from the country, having arrived, Dun was hot for renewing the attack, but was prevented by Sir John. Mackay and Gordon then proceeded westward, on their way home, and kept together, in case they might be followed; but they had not gone far, when they were met by John Mackay, Donald's brother, who was coming with a strong body of men to their assistance. Having arrived at Strathy, where Hugh Mackay was waiting for them, the wounds of such as had been hurt were dressed; but there was not one of the whole company either killed or missing. John Gordon and his men returned home next day.†

Lord Caithness, who was then at Edinburgh, having been informed by his brother, Sir John Sinclair of Greenland, of all these occurrences, including the slaughter of his nephew, John Sinclair of Stircoke, and mutilation of James Sinclair, commenced a criminal prosecution against the Earl of Sutherland, Sir Robert Gordon, Hugh Mackay and his son Donald; and they, on the other hand, prosecuted Lord Caithness, his son Berridale, and several of the Sinclairs, for their respective crimes of

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* "David Sinclair of Stircoke, son of John, master of Caithness, had a son John, slain in anno 1612, at Thurso, by Mackay of Strathnaver."—*Balfour's MS. written in* 1627.

† Sir Robert.

arresting and imprisoning Angus Henderson, without any warrant, and of resisting his Majesty's commission, and attacking those who had been engaged in its execution.

On the day of compearance, the Earl of Caithness, Lord Berridale, and others, were attended by Lord Gray, Sinclair of Roslin, the laird of Goldenknows, nephew of Lord Caithness, his two brothers, Sir John Sinclair of Greenland, and James Sinclair of Murkle, with some others of less note, and their followers.

The Earl of Sutherland and Mackay were not present; but Sir Robert and Donald Mackay were attended by the Earls of Winton, Eglinton, and Linlithgow; Lords Elphingston, Forbes, and Balfour; Sir James Stuart, governor of Dumbarton; the Livingstons and Drummonds; Patrick Mackay of Lairg in Galloway; Munro of Fowlis; the laird of Duffus; Sir Alexander Gordon; the Gordons of Cluny, Lismore, and Buckie, with their respective friends and followers. Lord Caithness felt himself much affronted, that both the Earl of Sutherland and Mackay were absent, and that he should be overmatched by two children, supported as they were by so many and powerful seconds.

Parties having been heard for three days before the privy council, the cases were remitted to the king's arbitrament; and in the meantime, the parties were appointed to find caution to keep the peace to each other. Goldenknows enacted himself cautioner for Caithness and Berridale and their friends; and Lord Elphingston for Sutherland and Mackay and their friends. The king wrote repeatedly to the council, to advise the parties, who were so powerful in friends and alliances, not to persist in seeking the rigorous redress of law of each other, but to submit all their disputes to the arbitration of friends to be mutually chosen, and to inform him which of the parties would be most averse to that pacific and reasonable measure. After much pains taken by the council, a submission was drawn up between Caithness and Berridale on the one part, and Sir Robert and Donald Mackay on the other, taking burden on them for Lord Sutherland and Mackay: but Caithness felt great reluctance to sign it, as Sutherland and Mackay were not personally made

parties to it. He was at length, however, prevailed upon to subscribe. The arbiters on the part of Caithness and his son, were John Spottiswood, archbishop of Glasgow, Sir John Preston, lord president, Lord Blantire, and Sir William Oliphant, lord advocate; and those on the part of Sir Robert and Donald Mackay were, the Earls of Kinghorn and Haddington, the master of Elphingston, and Sir Alexander Drummond of Midehope; the Earl of Dunfermline, chancellor, was oversman.*

While these transactions were in progress, Lord Gordon arrived at Edinburgh from London. The political and assiduous Sir Robert hearing of his returning, went nearly to the border to meet him, in order to prepossess him in his favour, before Caithness, his uncle-in-law, could have access to him. The latter felt indignant at this, and declined to wait on Lord Gordon after his arrival. Happening to meet in the evening on the High Street, between the Tron-Church and the Cross, each accompanied by a number of attendants, they began to jostle one another, and then to draw their swords; but Sir Robert and Donald Mackay having come up in the instant, after some strokes were given and received, Caithness and his company retired to their lodgings. The other party kept the street for some time, and walked up and down in front of their lodgings, to provoke them to come out, but without effect. Next day Caithness and Gordon were called before the privy council, by whom they were reconciled.

In August 1612, some depredations had been committed in Lochaber, by Allan, chief of the clan Cameron, which put that district in an uproar. Complaints having been made to the council, they ordered Lord Gordon to raise forces to quell these tumults; upon which he wrote to Sir Robert Gordon and Donald Mackay to meet him at Inverness, on a certain day he had named. They accordingly went there, accompanied by 300 choice men, well accoutred and furnished: but on their arrival, Lord Gordon told them that the expedition was postponed for that year, so that they ordered their men to return home.

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* Sir Robert. There is no mention made of these matters in the Privy Council Record.

In May 1613, Sir Robert went to Edinburgh to meet Lord Caithness, at the time appointed by the arbiters, to receive the statements of parties, by which he was prevented from accompanying Lord Gordon to Lochaber. The loss, however, was repaired to advantage: for a better soldier, John Gordon of Embo, went with Donald Mackay. They were attended by a like number of men as before, and 140 baggage-men. Allan lay secure on the south side of the river Spey, not thinking that his pursuers would venture to cross it, as it was much swollen by heavy rains which had recently fallen; but they did cross it notwithstanding, and came upon Allan suddenly; and when they were ready to attack him, Lord Gordon would not permit them, pretending that he would bring Allan to reasonable terms in an amicable manner: at which Mackay and his friend Gordon were greatly offended. The council were no less displeased at Lord Gordon's misconduct; and they in consequence granted a new commission to Sir Alexander Gordon, Sir Robert's brother, and Donald Mackay, jointly with Lord Gordon, in order to reduce Allan to obedience, who, upon his learning this, yielded himself to Gordon, by whom he was imprisoned in Inverness, but was soon liberated on finding caution for his future good behaviour: so that through the insincerity of Lord Gordon and his father, that business, which cost Mackay so much trouble and expense, ended in a mere farce.

The submission above mentioned had a similiar issue. The arbiters having spent some time in hearing parties, and after considering their disputes in all their bearings, they were aware that whatever decision they might give, it would not remove the feuds and quarrels which had been so deeply rooted between the parties, who would be as ready as ever to break out afresh upon any real or supposed offence. The Marquis of Huntly was brother-in-law to Caithness, and cousin both to Sutherland and to Mackay's lady; and the arbiters therefore judged it best that they should submit their matters to him, which was accordingly agreed to; and in consequence the arbiters transferred the submission to Huntly, empowering him to settle all differences as he might

judge proper. He was at some pains to reconcile his relatives, but finding that Lord Caithness was jealous of him, he remitted the matter back to the arbiters, who were all of them members of the council.

Donald Mackay of Scoury died some time previous to the year 1613. He had married Euphemia, daughter of Hugh Munro of Assint in Rossshire, son of the laird of Fowlis,* by whom he had three sons and four daughters,—Hugh, who succeeded him, William and Donald; his daughters were Margaret, married to Alexander Sutherland of Kilphedder, great-grandson of Alexander heir of Sutherland,—Jane, Christian, and Ann: Christian was married to Murdoch Mackay of Achness, chieftain of the clan Abrach, who was eldest son of Niel, termed by Sir Robert, the son of John, son of William, or literally, Niel Mack-Ean-Mack-William. Notices of Hugh, William, and Donald will occur afterwards.

Until Hugh Mackay's time his predecessors were usually designed "of Strathnaver," which was then understood to comprehend the whole of Mackay's country; but he was called Hugh Mackay of Far, and his eldest son Donald, while his father lived, called himself "fiar of Strathnaver;" after that, and until he came to the peerage, "Sir Donald Mackay of Strathnaver," as is evident from documents now in the author's possession. Strathnaver proper, is the land lying along the river Naver, and extends from Far to Moudale, as has been said in the outset. That strath proceeds nearly in a direct line for about twenty-miles, from Far to Achness; and viewing it from Achness it forms an obtuse angle. Loch Naver commences at Achness, and extends from thence to the grazing of Moudale, about six miles. As Achness, with other advantages, has a commanding view of the strath, and of the ad-

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* 31st December 1577. Charter of confirmation by King James VI. to Hugh Munro of Assint, and Christian Munro his spouse, of the lands of Easter Aird, &c.—*Great Seal Register.*

19th March 1580. Charter of confirmation by King James VI. to Hugh Munro, brother-german of Robert Munro of Fowlis, of the lands of Assint and Inchculter.—*ib.*

jacent country, the clan-Abrach chieftains chose it for their residence, and on that account they had their title from it, while their property comprehended all the lands round, and in the vicinity of Loch-Naver, as has been noticed.

It was formerly stated that John-Abrach Mackay obtained the lands of Achness and others from his brother Niel-Bass, and that John's descendants possessed them for the two following centuries as their own exclusive property, though without any written title. Sir Robert, though he must have known the fact, carefully omits to mention it. In order, however, to shew how the truth stands, a verbatim copy of the contract of marriage between Murdoch Mackay, eldest son and apparent heir of Niel Mackay of Achness, and Christian, daughter of Donald Mackay of Scoury, is added in a foot note. The original contract is in the author's possession. Donald Mackay of Strathnaver, afterwards Lord Reay, is a party to it. Sir Robert mentions the marriage of Murdoch and Christian, with whom he was personally acquainted: but he conceals both his father's and his designation, because himself had a prime concern in depriving their descendants of their lands.*

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* "At Dornoche the fyftene day of Apryle in the zier of God, Jij sax hundret and threttene ziers It is appointit aggreit and matrimoniale contractit finalie oblisst and endit betwix the ry^t^ honobl persones under written They ar to say Do^d^. M'Ky fiar of Strathnaver and Ewfame Munro relict of umq^ll^ Do^d^. M'Ky Forbes of Skowrie moir takane the burding upone thame of Cristane M'Ky hir lawfull dowchter with the said Cristane awin consent on the ane parte and Neil Jhone W^m^Sone of Auchniss takane the burding upone him of Murdow Neilsone his sone and appeirand air w^t^ the said Murdowis awin consent on the uy^r^ p^rt^ in maner form and effect as efter followes That is to say the said Murdow shall marrie God willing and tak to his spousit wyff, the said Cristane M'Ky lyk as the said Don^d^ and the said Cristane burding-takares upone them off the said Cristane oblis^s^ thame to caus the said Cristane marie and tak to hir spousit husband the said Murdow and to y^t^ effect bothe the said Murdow and Cristane oblissis thame be the faith and trowthe in their bodies to fulfill and solempnizat the honoble band of matrimonie ather w^t^ uther in face of halie kirk *per verba depresenti* befoir the feast and terme of Witsonday nixt to cum *anno presenti* sax hunder and thrittene zeiris And sic-lyk the said Murdow oblis^s^ him and his airs exe^rs^ assnis and intromitters with his guids and geir to perfurnis and provyde of his awin frie proper geir the sowme of an thowsand punds guid and usuale mony of North Brittane at the feast and terme of Whit-

Hugh Mackay had been for some time confined at home under the malady of which he died, and consequently the whole management

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sonday Jij sax hundret and fourtene zeiris and thairefter to dedicat imploy and give furth the samyn to sufficient crediters or upone land for annual rent and zeirlie proffitt or upone merchand obligationis as may be haid and to infeft the said Cristane M'Ky in the conjunct liferent ryt thairoff, for all the dayis of hir lyftyme and quhowe oft soever, the lands qrupone the samyn sall be gevin furt sall happin to redem it or the samyn upliftit furth of the creditoris handis to quhome the saymn sall be gewin yt so oft and als oft the saymin sall be off new agane gewin furth upone new securitie, and the said Cristane to be in the conjunct liferent ryt thairoff for all the days of hir lyftyme For qlk causis the said Eufame Monro moyr to the said Cristane and the said Dod M'Ky as cautioner sovertie and full dettour for the said Eufame bindis and oblissis thame thair airs exers or assis and all others intromitters wt thair lands to thankfullie content pay and deliver to the said Murdow his airs exers or assis the sowme of an thousand merks moy forsaid as doit and tocherguid wt the said Cristane at the terms following viz thairoff at the feast and terme of Whitsonday nixt to cum *anno presenti* Jij sax hundret and threttene zeiris the sowme of fyve hundret mks moy usuale forsaid and the sowme of oyr fyve hundret merks moy in haill and complit payment of the forsaid sowme of an thousand merks dott abone written at the feast and terme of Martimes nixt thairafter *anno supra* sax hundret and threttene zieris But langer delay fradwe or gyle and hrto and to the premises boith the saids prties binds and oblisses thame to reiterate and renew thir prets at desyre and optionn of ather prtie ay and qll the samyn be ains put in sure forme to the effect abone mentionat And the said Eufame Monro bindis and oblississ hir hir airs exers and assis to frei relieve and skaithless keip the said Dod M'Ky and his abone wrettin of his cautionarie abone specifit at the handis of the said Murdow Neilson and his forsaids and of all costis skaithis dampnage interest and expensis qlk sall happin the said Dond M'Ky or his foresaids to incur heirthrow and ar content and consents that thir prts be insert and regrat in the buicks of counsal and sessionis or comissar buicks of Cathness to bere the strenthe of ane decreit and confest act yt lettrs and executorl of poinding and horning upon ten dayis charge may be directit heirupone and to that effect constitutis George Gray appeirand of Sordall thair procuratoris *promitten de rato* &c In witness qroff (and wreitten be Angus Murray notar publict) the saides prties has subrit wt thair handis as followis day zeir and place forsaid before thir witnessis George Gordon son to Jhone Gordon of Golspeteure Robert Neilson sone to the said Neil Jhone Adamsone Messr and the said Angus Murray notar and wreittar heiroff

D. M'Ky, Fier of Stnaver.
MURDO NEILSONE.

A MURRAY, as notar and witness.

R MONRO, witness.
G GORDONE, witness.
JOHN ADAMSONE, messr witness.

7th Nov. 1615. *Recorded at Dornoch in the Commissary-court books of Caithness, by Jon Davidson, Co. Clk.*

devolved on Donald his son. Prior to Hugh Mackay's marriage with Lady Jane Gordon, says Sir Robert, "Earl Alexander, as superior and lord of Strathnaver, had granted a precept of *clare constat* to Hugh Mackay, the penult day of October, the same year 1589, by virtue whereof he was entered and served heir to his father Iye Mackay in all his lands in Strathnaver without the Dirrimore, and was infeft and seased accordingly the first day of November the same year 1589. Then Hugh Mackay being infeft, did resign all his lands whatsoever pertaining to him or to his predecessors, into Earl Alexander his hands, and his heirs *ad perpetuam rei memoriam* the eighth day of November the same year, 1589. Thereafter he took an infeftment from Earl Alexander, whereby he holdeth all his lands within Strathnaver and elsewhere of the Earl of Sutherland as his lord and superior; which infeftment was renewed unto him and to his son Donald with greater privileges than before, (but still holden of the Earl of Sutherland as superior) by John, Earl of Sutherland, the son of this Earl Alexander, the year 1606. And to the effect that this friendship might be the more carefully observed in time coming, the lands of Edderachillis, Hope, and Westmone, were then given by infeftment to Earl Alexander, in the month of November 1589, by Hugh Mackay, as a particular pledge of his heritable good services to the house of Sutherland."* One of these "greater privileges" granted by Earl John to Hugh and his son Donald in 1606, was *absolute warrandice on all their lands.*

About the beginning of the year 1613, some questions arose between the Earl of Sutherland and Mackay, regarding their rights and boundaries. In April Donald Mackay and his brother John were invited, by way of compliment by Sir Robert, to accompany Lord Sutherland, himself, and some others, on a visit to Sutherland's father-in-law, Lord Elphingston, at Kildrummy in Mar. These questions having been agitated on their journey thither at Drumminor, they were in some sort re-

* P. 201.

ferred to Lords Forbes and Elphingston, Sir Robert, and William Forbes of Menzie; the two Forbeses on Mackay's part, and the other two on that of Sutherland. These arbiters recommended that all disputes as to their marches should be determined at home, by persons to be mutually chosen; and it was then agreed that Sir Robert should be oversman—a most dangerous election for Mackay, as the issue proved it to be—and its acceptance was indelicate and improper on the part of Sir Robert. "Then also," says he, "Mackay did discharge to the Earl of Sutherland the warrandice of the lands of Strathnaver, whereunto Earl John had bound himself by the infeftment which he gave unto Mackay the year 1606. At this time also the Earl of Sutherland yielded to give Durness to Mackay as a particular fee for his service to the house of Sutherland; and that the lands of Durness should always remain with the chief of the family of Mackay, and not to be given to any brother of of that house."* Donald was second to none, where manhood, courage, and fortitude were called for; and he was possessed of a high spirit to a very singular degree: a large portion of which, it has been much remarked, his descendants inherited from him: but he was often rather incautious, somewhat hasty in his calculations, and not sufficiently guarded against circumvention and fraud. He is still known by the name Donald-Daughal, perhaps from the troubles in which he had been involved. He was, in short, as to the management of legal, civil, or local transactions, an unequal match for his uncle, in whom, to his irreparable loss, he placed every degree of confidence, until it was too late. Donald was at this time only twenty-three years of age, when he was cozened to give up the warrandice, which, though it appeared but of small importance, was preparative to the accomplishment of a deep and injurious scheme laid against him, as will shortly appear, whereby he was filched of a great portion of his lands.

After Sutherland and the two Mackays, with their companions, had been for some time at Kildrummy, and the Mackays had visited their

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* P. 296.

friends the Forbeses; Sir Robert set forward for England, and took John Mackay his nephew along with him. In February preceding, he (Sir Robert) had been married to Louisa, only child of John Gordon, dean of Salisbury, then in her sixteenth year. John Mackay went from England to France, where he remained two years and three months.

Lord Sutherland and Donald Mackay, soon after their return home, were informed that Lord Caithness had been meditating an invasion either of Sutherland or Mackay's country. As he saw little prospect of obtaining of them what he deemed an adequate satisfaction, he resolved to make a last effort to redress himself. In October 1613, he raised all the power of Caithness for the purpose, and marched in the direction of the boundary between Sutherland and the middle of the Strath of Naver. Sir Alexander Gordon and the Sutherland-men went to the top of the hills of Knockfin, to observe what course he was to pursue; and they were soon joined by Mackay, Monro of Fowlis, Ross of Balnagown, Mackenzie of Cromarty, the tutor of Kintail, and Macleod of Assint, Sutherland and Mackay having previously judged that the most effectual method to prevent bloodshed, was to prepare a formidable force to meet Caithness. The latter had brought with him several small pieces of cannon, or swivels, from Castle Sinclair: but his brothers, Sir John of Greenland and James of Murkle, finding their opponents so amply prepared, dissuaded him from the unequal contest, advising him rather to wait the issue of the submission in dependance before the members of council. He listened to their advice; and having marched homeward in the face of a tempest of wind and rain, Mackay and his friend John Gordon younger of Embo, went after him to observe his movements, and they were followed by Sir Alexander and two hundred men, all of whom remained three days in Caithness, to see the army disbanded.

Sir Robert accuses Lord Caithness of having brought Lord Sutherland to trouble on account of his religion as a papist. There appears, however, to be little ground for this accusation; for King James,

though he was severe against presbyterians, was uniformly lenient to papists, as appeared a few years before, when the Marquis of Huntly, the Earls of Errol, Angus, and Sutherland; Lords Hume, Maxwell, Herris, and Sempil, were all under process for popery,* and in many other instances: nor could Caithness lodge any complaint of that nature against Sutherland, which would not to a greater degree affect his brother-in-law Huntly, who was the chief prop of popery in Scotland; besides, that Caithness was himself a papist; on which account such a complaint from him would be less accounted of.†

Lord Caithness was completely outwitted by the wiles of Sir Robert. In December 1613, the latter obtained from the king a remission to Donald Mackay, John Gordon, and all their assistants, for the slaughter of John Sinclair of Stircoke, and for all that had taken place on the occasion of their executing the commission against Arthur Smith, with an order by the Earl of Somerset, then treasurer of Scotland, to his depute, Sir Gideon Murray, that the remission should pass the seals gratis, which was accordingly done some time thereafter.

In the following year a piece of service fell to Lord Caithness, which gratified him highly, and for a time diverted his chagrin at his neighbours. James Law, bishop of Orkney, had entered into an agreement with Patrick, Earl of Orkney, by which the bishop, for a certain annuity during his life, and liberty to possess the Earl's palace, as it was near

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* Printed Calderwood, P. 460.

† 18th November 1613. "The Earl of Sutherland, on account of his obstinate adherence to popery, ordered to confine himself within St Andrews, and his mother, for the same cause, to remain in Inverness, so as to receive instruction, and not to shew ill example to others."—*Privy Council Record.*

8th February 1614. "In terms of the king's letter, the council superseded the Earl of Sutherland's entry to St Andrews."—*ibid.*

25th July 1616. "George, Earl of Caithness, and his spouse, and George Sinclair, being suspected of their religion, are ordered to be summoned to compear before the council."—*ibid.*

28th August 1616. "Order issued to denounce them rebels for not answering the summons."—*ibid.*

the cathedral, assigned in favour of the earl his lands and the emoluments of his see. Not long thereafter the bishop sent informations to the king of alleged crimes and acts of oppression committed by the earl, who was, in consequence, brought to Edinburgh and imprisoned, and afterwards divested of his estates and titles by the privy council, without any legal process, and collectors were appointed by the council to levy his rents for the crown. To counteract these, which he considered lawless proceedings, the earl, while in prison, ordered his natural son, Robert Stuart, to uplift his rents, and to exercise the offices which he had possessed; in consequence of which, Robert took possession of the palace of Birsay, the castle and palace of Kirkwall, and the steeple of the cathedral, and expelled the council's collectors.

Notice of these transactions having been sent to the privy council, the Earl of Caithness was commissioned to quell that rebellion, as it was called.* It may indeed be believed that he felt no reluctance to execute that commission, not only on account of the treatment his great-grandfather had received in Orkney, and some contests himself had lately had with Earl Patrick, but also to procure the favour of the king and council in regard to his controversy with Lord Sutherland and Mackay. In August 1614, he sailed from Leith, accompanied by the bishop, and a

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* 26th May 1614. "His Majesty and lords of secret council understanding the good disposition of his trusty cousin, George, Earl of Caithness, and his earnest affection to do his Majesty service," &c. "granted full power and commission to him to convocate his Majesty's lieges, to pass with ships and ordnance to Orkney, to besiege and take castles, &c.; to apprehend rebels and pirates, to put them to the knowledge of an assize, seize and intromit with their ships, barks, goods, and gear, and apply them to his own use for his pains."—*Privy Council Record.*

5th October 1614. Order to transport the Earl of Orkney from Dumbarton to Edinburgh castle."—*ibid.*

24th November 1614. The service of the Earl of Caithness in Orkney approved.—*ibid.*

18th August 1615. Act to demolish the castle of Kirkwall, as George, Earl of Caithness, had returned without effecting it. Order to Walter Ritchie, the king's treasurer there, to pay the expences attending that service, under the counsel and advice of the Bishop of Orkney.—*ibid.* Indeed the whole proceedings against the unfortunate Earl Patrick were under the sinister counsel and advice of that worthy prelate.

number of soldiers, with some cannon from Edinburgh castle; and having augmented his forces in Caithness, he sailed for Orkney.

Upon his landing, Robert Stuart betook himself to the castle with only sixteen men. They bravely defended it for a long time, and killed many of their assailants. Many hundreds of cannon-shot were spent on the castle, without any impression made on its strong thick wall: and it was at last taken only in consequence of the treachery of a Patrick Halcro, one of the besieged. They were all, excepting him, executed at Edinburgh; and Earl Patrick was afterwards executed for *this rebellion* in particular. One would think, that if he was not otherwise guilty, which was not proven, he was in this only defending his own right. The Scottish bishops had been set up by James, a few years before then, as a stirrup to his "*free monarchy*," or his favourite hobby, king above law. He aggrandised them above the nobles; and they in return flattered, and complimented him with soul and conscience, and in so far as they were able, with the civil and ecclesiastic liberties of the nation. The most unprincipled amongst the clergy, provided they were possessed of cunning, effrontery, and such like qualities, were those whom he favoured and promoted most; and the chief of these were John Spottiswood and James Law, who trampled on oaths and every thing sacred, to please him, and to enslave the kingdom. The bare idea that James Law was his enemy, goes some length to influence one in favour of Earl Patrick. Spottiswood was soon after made archbishop of St Andrews, and Law of Glasgow. Lord Seaton said of the bishops of that period, that they were happy men if they got heaven, for they reigned already on earth. The council too, were then among the most servile that ever Scotland saw, crouching under James and his bishops.

On the 11th September 1614, Hugh Mackay died at Tongue, in the 55th year of his age. Sir Robert describes him thus: "He was generally beloved and bewailed; he was very liberal, if not rather inclining towards prodigality, and yet he preserved the ancient inheritance of his predecessors free from any great burden of debt; he was most faithful and trusty, wheresoever he promised his friendship; a sure and sincere

performer of his word. He was much to be commended, because that, finding his countrymen, at his entry, consumed almost with civil discords and slaughters, by the iniquity of those times, he handled the matter so, that within a short space after he began to command in that country, they were all finally reconciled; for albeit he delighted in hunting and public conventions, yet fearing that such meetings, upon the least jar, would renew the old rancour and civil dissension amongst the inhabitants of the country, he gave over all kind of public hunting used in these parts, and would never allow his countrymen, chiefly contrary factions, to meet at such conventions and assemblies, till in end all quarrels were forgotten. He bred and brought up the young men still in his own company, that, by daily conversing together familiarly, they might accustom themselves mutually to love one another. His courage and valour you may partly perceive, by that which hath been already said of him in this treatise. He left behind him alive two sons, and two daughters, by Lady Jane Gordon, the sister of this Earl John of Sutherland; Donald Mackay who succeeded unto him, born in February the year 1590, beginning the year in March; John Mackay, Annas Mackay, and Mary Mackay. He had also a daughter called Christian, by the Earl of Caithness his daughter, which Christian was married to John Mackintosh of Dalzell, the uncle of Sir Lachlan Mackintosh. Annas Mackay was married to Alexander Sinclair of Brims; Mary, the youngest daughter of Hugh Mackay, was married to Hector Monro of Clyneness, brother to Robert Munro of Fowlis."* Hugh Mackay's memory is much revered in his own country to the present day, as one who in a high degree possessed all the nobler qualities of a highland chieftain. He is still known by the term, *Huistane-Dow en tuagh*. *Tuagh* signifies a battle-axe; a weapon he generally had used in the field. He left a noble estate to his son, situated not only in his own country, but also in Caithness and Sutherland. His son John, ancestor of the family of Strathy, obtained the lands of Dirlet, Cattack, and others in Caithness.

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* P. 302.

He was designed John Mackay of Dirlet, or as it was anciently called Dilred.

"The 20th day of February 1615 years, Lady Jane Gordon," why not Lady Jane Mackay? "Hugh Mackay his wife, and Earl John his sister, died at Cracock in Sutherland, and was buried in Dornoch, in the sepulchre of her fathers, having not fully attained the age of one-and-forty years. She lived not six months after the death of her husband, Hugh Mackay; and as they were happy in their mutual loves during their lives, so they were not less happy, that their deaths were so near one another. The lady was exceedingly regretted by all that knew her. She was one of the comeliest and most beautiful women of her time in the kingdom. These external gifts were accompanied with many rare virtues: she was no less modest and religious, than fair and beautiful; a great ornament of the family and house of Sutherland."* Yes, and the preserver of that house, by her marrying Mackay; which house should, as a part of their debt of gratitude,—haughtiness aside,—have laid her remains beside those of her husband; but that debt is still wholly due.

"Scarcely were the obsequies and funeral of Lady Jane Gordon finished, when as her brother John, Earl of Sutherland, sickened and died the 11th day of September, the year 1615, being of the age of thirty-nine years and two months, leaving his eldest son John, a child of six years and six months." "He left his house overburdened with debt. The government of his house and family was left by him, in his latter will and testament, to his brother, Sir Robert Gordon."† Sir Robert then does not fail to take some high compliments to himself, as being the fittest of all others to manage for the house of Sutherland. Perhaps he was so; but during that management, he appears not to have forgot himself.

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* P. 311. † P. 313.

CHAPTER VIII.

DONALD MACKAY, FIRST LORD REAY.

1614—1650.

In January 1615, Lord Caithness went to London, to receive a remuneration for his service in Orkney, and for apprehending Lord Maxwell, who had been pursued for the slaughter of the laird of Johnston, and had fled to Caithness, in order to take ship for Sweden. Sir Robert, who was in England at the time, having been apprised of his coming, and apprehensive that he might prepossess the king against Sutherland and Mackay, forestalled him there also, so that he in vain endeavoured to obtain a promise of redress for the slaughter of his nephew, John Sinclair of Stircoke. The king, however, granted him a remission of all his bypast crimes and offences, together with an annuity for his faithful services in future, and at the same time appointed him one of his Scottish privy council: all of which he forfeited not long thereafter. He returned to Edinburgh in March, and remained there until August.

It has been already noticed, that in April 1613, Donald had been circumvented by Sir Robert and his brother, Earl John, to release the latter from the warrandice he had granted in 1606, in favour of Hugh Mackay and his son Donald, over all their lands. "The year 1612," says Donald's trusty uncle, "Sir Robert Gordon purchased from Reid of Aitkenhead, all the right and title which the bishop of Orkney, Robert Reid, had to the lands of Strathnaver, by virtue of the gift of Donald Mackay his bastardy, which bishop Reid had obtained from Queen Mary. And withal, Sir Robert obtained then from the king a gift of the nonentry of the lands of Strathnaver, since the death of bishop Reid.

All which Sir Robert did afterward renounce in favour of the Earl of Sutherland and Mackay, at a meeting in Tain, the year 1622."*

That gift of bastardy, which was at the beginning unjustly obtained, had lain as useless and extinct for nearly half a century, under the revocation of Queen Mary, and her grant of Mackay's lands to Huntly, ratified by Parliament, as before recited; and notwithstanding that Iye Mackay bought back his own lands from Huntly, (but snipped of the superiority) that gift is now purchased by Sir Robert from bishop Reid's representative, no doubt at a mere trifle; and then the good courtier obtained from the king, who was abundantly liberal to his creatures, supporters of his "*free monarchy,*" a gift of the nonentry, which derived all its virtue from the gift of bastardy to bishop Reid! It seems pretty evident, that before the worthy Sir Robert had been at all the trouble of obtaining these, he had been advised by his lawyers that the grant to Huntly, with all that had followed on it, might still be reduced by Mackay, on the ground of error or fraud, and that he might thereupon betake himself to the standing where bishop Reid had placed his ancestor; and therefore his kind uncle bought up and secured that standing for himself, so as to meet and entrap him there, in case he should escape from the toils into which his predecessor had been caught by Huntly. Having thus clandestinely succeeded to the bishop, and become donator to the king, Sir Robert, under pretence of kindness and friendship, decoyed his nephew the following year, to a distant part of the kingdom, out of the reach of his father, then under his last sickness, and defrauded the unsuspecting youth of the warrandice, so as that Sutherland might have a fast hold of him, whichever branch of the alternative he might take.

Before Sir Robert entered upon his office of tutor to the young Earl of Sutherland, he procured a letter from the king to the privy council, ordering particular attention to be paid to all causes which might come before them, wherein he as tutor might be concerned. Such a letter

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* P. 316.

from such a king, to such a council, was an important preliminary step, and portended what those might expect who had to contend with Sutherland, and with this tutor for their rights.

At the same time that Sir Robert was so assiduously laying his schemes to aggrandize Sutherland and himself at the expence of Mackay, the latter, on the contrary, not entertaining the least thought of his designs, considered him his best friend, and looked up to him with confidence and respect, until he had got so far within his fangs that he could not recover himself. For several years previous to Earl John's death, Sir Robert spent most of his time in England; and the earl, knowing that his nephew, Donald, possessed a high sense of honour, and unshaken fidelity, together with a strong attachment to himself, consulted him on all occasions, and entrusted him with the management of most of his affairs; so that, as Sir Robert says, "Donald Mackay, in the latter end of his uncle Earl John his days, swayed almost the affairs of the whole country of Sutherland;" but he does not even allege that he did so to Earl John's prejudice, which he would not have omitted, if he had had such to say. When the earl proposed to execute his family settlement, several of his friends suggested that he should nominate his brother Sir Alexander as tutor to his children: but Donald recommended to him to pitch upon Sir Robert as more fit every way for the charge, who was preferred accordingly: and one return, amongst many, which Donald received for that essential piece of service, was, that Sir Robert made use of the prejudice thereby conceived by Sir Alexander, as a formidable weapon against himself.

Several years antecedent to this period, some disputes had arisen between Lord Caithness and his cousin William Sinclair of Dunbeath, who was also proprietor of the lands of Sandside, Downreay, and others, probably because the latter lived on good terms with Sutherland and Mackay. The lands of Dunbeath were spoiled and wasted by Harry Sinclair, the earl's bastard brother, and a Kenneth MacIver; and William Sinclair himself was forced to flee for his personal safety, to his castle at Downreay: but he was pursued, and besieged there for some

time until he was relieved by Hugh Mackay. He then went to Sutherland, and from thence to Murray where he died.* He was succeeded by his grandson George Sinclair, who married a sister of Lord Forbes. The same aggressions having been practised against him and his tenants, he pursued the perpetrators before the privy council, and had them denounced rebels, and an order laid on Lord Caithness to send them to Edinburgh; which having been disregarded, Sinclair brought an action against him to compel him to produce them.† In the meantime Sinclair left the country, and took refuge with Lord Forbes, to whom, as he had no children, he conveyed all his lands, and died soon after. Lord Forbes appointed a gentleman, William Innes, related to the family of Innes in Murray, as his chamberlain over those lands: who, as he had a hazardous undertaking to accomplish, took up his residence at Sandside to be near to Mackay, to whom he looked for protection.

Lord Caithness felt indignant that his cousins lands should go to a stranger in preference to himself; in consequence of which various means were taken to disturb William Innes in the execution of his trust: but he was a man of courage and resolution not be deterred from doing his duty. At length, however, as other measures had proved ineffectual, his corn stacks at Sandside were set on fire and burnt all to ashes: but the crime was committed so secretly that it was very difficult to discover either the actors or accessaries.

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* He died in December 1608. In a record of confirmed testaments from 1606—1613, in the office of the Sheriff-clerk of Caithness, the following is inserted. "The testament testamenter, latter will, legacie and inventar of y^e^ guidis and geir of umq^ll^ ane hon^bl^ man W^m^ Sinclair of Dunbath."

† 4th December 1610. "Complaint—the king's advocate and George Sinclair of Dunbeath, and tenants of Dunbeath, Reay, Sandside, Borlum, Davochow, Isauld, Milntown, Downreay, Shurrarie, Brubster, Stemster, and Spittal,—against George Earl of Caithness, for not exhibiting William Bayne, son of Alexander Bayne of Bilbster, and others who had been denounced rebels at Dunbeath's instance, for spoiling the said lands; the said rebels being tenants and servants to the earl."—*Privy Council Record.*

5th March 1611. The Earl of Caithness denounced rebel for not producing said rebels. —*ib.*

A report was soon circulated that some of Mackay's tenants had burnt the corn: which induced him to use every effort to find out the guilty persons. There were three of the clan Gun who had been seen going to Lord Caithness a few days before the deed was committed, on whom, on that account, the suspicion rested. They were all tenants of Mackay's; two of them, John and Alexander Gun, brethren, in Strathy, and the other, Alexander Gun their cousin, in Dirlet. The clan Gun felt indignant that any of their tribe should be thought guilty of such a base and dastardly offence; and some of them having reproached those three persons with regard to it, such was the result that the grounds of suspicion were increased; and a key was furnished for making farther discoveries. Sir Robert Gordon and his nephew Donald Mackay, having called Alexander the cousin before them, he revealed to them all that he knew of the business, and that his cousin Alexander and two accomplices were the guilty persons. Lord Forbes having received this information, the matter was brought before the Justiciary Lords in the year 1616, against the three Guns and the accomplices: at the same time Lord Caithness, as sheriff of the county, was ordered to send the criminals to Edinburgh to stand trial.

Lord Forbes having met with Mackay and Gordon at Edinburgh, previous to the day of compearance, a petition was presented to the council that the remission to Lord Caithness might not pass the seals until the issue of the trial; which was accordingly granted. Lord Caithness sent his son Berridale to Edinburgh, together with the rest who had been summoned, excepting Alexander, John's brother, and his two accomplices, who had burnt the corn. He excused himself for not sending them, by pretending that that was Mackay's business, whose tenants they were: but this excuse was not sustained, as the order had been laid on him as sheriff, within whose territory, Dirlet, their place of residence lay, and within which also the crime was committed. John Gun and his cousin Alexander were examined before the council, and both agreed in their confessions, upon which they were remanded to prison, until the case received a farther hearing. At the same time a

new writ was issued commanding Caithness to present the three criminals in June following.

In the end of April 1616, Sir Robert went to London, accompanied by Donald Mackay, whom he introduced to the king, and to Prince Charles, who received him graciously; and the king then conferred on him the honour of knighthood. He was thenceforward Sir Donald Mackay, until he was created Lord Reay. He was not created baronet until the 18th March 1627.

Sir Donald having remained a month at court, returned to Edinburgh to accompany Lord Forbes when his cause came to be agitated in June. All this shew of kindness on the part of Sir Robert was a covering to several designs he had been contemplating against his nephew, previous to the execution of which it was necessary to allay all his suspicions, if he had entertained any, by leading him to royal favour and honour.

Lord Caithness failed to present Alexander Gun and his associates in crime in terms of the appointment of council, and they were in consequence denounced rebels. Lord Forbes thereupon caused Lord Caithness and Berridale be charged to appear personally, in July following, to answer to the crime of burning the corn. They accordingly went to Edinburgh; and, prior to the day fixed for their trial, proposed terms of reconciliation to Lord Forbes and Sir Donald. They entered into a contract, bearing amongst others the following articles: That all civil questions between the parties should be settled by arbitration; that Caithness and his son should pay twenty thousand merks Scots to Lord Forbes and Sir Donald; that criminal matters on both sides, including the slaughter and others at Thurso, should be reciprocally remitted and discharged; that Caithness and his son should renounce all claims of justiciary and sheriffship, within Sutherland and Mackay's country; that Caithness should deliver up the criminals, Gun and his accomplices, to Lord Forbes; and that he and Berridale and their friends and dependants should preserve the peace, and should not harbour any runaways from Sutherland or from Mackay's country. John Gun, and his brother were liberated, Lord Forbes and Sir Donald

having bound themselves to produce them when required. Sir Robert calls this John Gun, John Robson, chief of the Caithness Guns. He had possessed some lands from Lord Caithness, from which he was at this time expelled. The following article appears in the inventory of Caithness writs, "Mutual discharge between the Earl of Caithness and John Robson 1616."

Notwithstanding the compromise with Lord Forbes and Sir Donald, Caithness and Berridale were still as much as ever left exposed to the criminal law. The proceedings against them were resumed, there is ground to believe, by Sir Robert's traducing Lord Caithness to the king; for he states, "so his majesty did write a letter to the privy council of Scotland, commanding them to prosecute that business with all severity, against such as were accessory to that crime. Whereupon the Lord Berridale was warded by the council in the castle of Edinburgh, upon suspicion that he was participant in the burning of the corns. His father Earl George, perceiving the king so far bent to prosecute the authors of that crime, would not appear before the council or justice, at the day which was appointed for his trial, in the month of August 1616 years, whereupon he was outlawed and declared rebel, as the author of that fact."

Sir Robert's relative, and the continuator of his history, Gilbert Gordon of Sallagh, describes him, in midst of the high-flown encomiums he bestows on him, "a bitter enemy, choleric, too vehement and passionate in any action, and too far transported and carried with a fervent affection," in disengaging the house of Sutherland from its burdens and troubles. Happy times for Scotland, when a Gladstanes, a Spottiswood, a Law, a Sir Robert, and such sycophants, obtained from a pedantic despot, a command to his servile council to abet their selfish and ambitious measures, and to assist them in trampling on the necks of her nobles and barons! There is a striking likeness of character between Spottiswood and Sir Robert, and a great similarity in their manner of describing persons and occurrences. Spottiswood defames the best men in the nation; such as the Melvilles, Bruce, Davidson, Black,

and others, who opposed themselves to his craft, perjury, treachery, and tyranny; and Sir Robert's narrative is complimental or defamatory, in proportion as those of whom he writes, submitted to, or opposed the measures of Huntly and Sutherland; both extol James as a non-such king; and both seem to have been supple, time-serving, haughty, wrathful, ambitious men, who, to gain their ends, thought it indifferent whether they were papist, protestant, prelate or presbyter. Sir Robert's distorted description of the affair which happened in Edinburgh, in which the best of the nobles, barons, and ministers, on the one side, and the popish octavians,* on the other, were concerned, seems to indicate that he was more a papist than a protestant; and of the same stamp is his narrative of public matters, particularly with respect to the popish lords, from page 218 to 228. Spottiswood, too, it is well known, when in France, made no scruple, contrary to his former oaths repeatedly emitted, of going to mass when occasion offered.

The king consented to remit the crime of burning the corn, on the following conditions: 1*st*, That Lord Caithness should satisfy his numerous creditors; 2*d*, That he should renounce, with Berridale's consent, his offices of justiciary and sheriff; 3*d*, That he should deliver up Alexander Gun and his two accomplices; and, 4*th*, That, with consent of Berridale, he should resign and give up for ever to Alexander Forbes, bishop of Caithness, the castle of Scrabster, and as much of the feu lands of his bishopric as would amount to 2000 merks Scots yearly. The king sent down a commission to Scotland, to settle with his lordship on these terms, to which, in his present circumstances, he and his son were necessitated to submit. The sheriffship was granted to James Sinclair of Murkle;† and the bishop's castle, and part of the bishopric, were re-

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* Eight persons of the privy council, who abetted the king's arbitrary measures, were termed Octavians.—*Calderwood's Printed History.*

† The oldest proceeding extant in the sheriff-court records of Caithness, is a summons issued by James Sinclair of Murkle, in the year 1629.—*Vide* Report in the case, magistrates of Wick *v.* magistrates of Thurso and others, made in 1827, by Hugh Lumsdane, Esq. sheriff-depute of Sutherland, assisted by Mr William Whytock, transcriber of old writings, Edinburgh.

stored to him; upon which Berridale was set at liberty, and directions were given to draw up the remission. There is little doubt that Sir Robert was prompter in all these; and that the terms of the remission were prepared and given in by him to the king. He had got him into the toils, and he was resolved he should be tamed before he escaped.

No sooner was Berridale liberated than he was re-committed at the instance of his father's creditors, to whom he had become debtor jointly with him; and Lord Caithness himself escaped narrowly, and fled to his own country. Berridale was detained in prison for several years; during which protections were granted by the council to his father, to enable him to go to Edinburgh at such times as his attendance there became necessary: but his remission was postponed until his creditors were satisfied. At length, however, he surrendered his lands to the management of his son for behoof of his creditors, who thereupon consented to his releasement.

The family of Mackay had for several generations been proprietors of different estates in Sutherland; such as Golspytour, which had lately gone under the name of Embo; Strathfleet, which was called Kinnauld; Kilcalmkill, afterwards designed Carrol, and others. In Hugh Mackay's time the lands of Embo were possessed by John Gordon senior, and after him by his son John Gordon, who has been frequently mentioned. A close friendship and intimacy had always subsisted between the Mackays and these Gordons; Sir Donald was nursed, and had been for some time after in the family of John Gordon senior; and Sir Donald's eldest son, Iye Mackay, in the family of John Gordon the son. The lands of Kinnauld were possessed by the Murrays, and those of Kilcalmkill by John Gordon of Baikies; all of them holding under the Mackays.

It will be recollected that King James the IV. in 1499, granted a charter in favour of Iye-Roy Mackay to these three estates; and they are mentioned in Queen Mary's grant of Mackay's lands to Huntly; and it will also be remembered, that Iye Mackay, Sir Donald's grandfather, bought back his lands from Huntly for three thousand pounds

Scots: But when Sir Robert describes that transaction, he says nothing with regard to the lands of Golspytour, Kinnauld, or Kilcalmkill; nor does he mention whether they were conveyed by Huntly to Sutherland, nor by what tenure they were held prior to Sir Donald's succession. But these "lands of Kinnauld, Golspytour, Kilcalmkill, with the miln of the same, &c.," are included in the charter granted by John, Earl of Sutherland, to Hugh Mackay and his son Donald, &c., dated 6th June 1606, and which was confirmed by the royal charter, dated 26th May 1608, part of which has been quoted, page 168, so that Sir Donald had an equal title to these as to any other part of his lands.

"Mackay procureth an action," says Sir Robert, "formerly intented by him against John Murray of Shiberscross, by virtue of a pretended right to the heritage of Kinnauld. Then he bought the lands and house of Golspitour from John Gordon of Embo, of whom he had also a promise, that he should sell unto him all the lands which he had in wadset and mortgage in Strathfleet, from the Earl of Sutherland. Next again he purchased and procured himself to be made assignee to the redemption of the lands of Over Skibo, from William Gordon's widow; and if God had not called Earl John soon to himself, Mackay had obtained a power to redeem to his use, such lands as the Grays have in mortgage and wadset from the Earl of Sutherland. Further, Mackay pretended an action against the lands of Kilcalmkill, appertaining to John Gordon of Baikies." "And, which was of most importance, he obtained from the Countess of Sutherland, the widow of Earl John, her whole estate and jointure, for payment of a certain yearly silver duty unto her, thereby to get himself into possession of the Earl of Sutherland his lands."* But where was the wrong in all or either of these? Sir Donald endeavoured, by an action at law, to make good his title to Kinnauld and Kilcalmkill, which belonged to his progenitors and to himself; he redeemed his lands of Golspitour from the wadset under which they had been held; a wadset doubtless, which had been received from his predecessor, (for

* P. 323.

Sir Robert does not say otherwise); and he only took a lease of the jointure lands, from the Countess-dowager of Sutherland, at an agreed-on rent.

But his good friend and affectionate uncle, was determined to shoulder Sir Donald out of all his lands in the district of Sutherland, and prevent his having any footing there, so that his own power and sway might be without any control or check, and that all the offals and parings might accrue to himself. He flattered and threatened him by turns; he told him that he had always been his assured friend, and would continue to be so, unless he was compelled to the contrary; that the greatest honour to which his family had ever attained, was from their connection with the house of Sutherland, the dignity of which he should account it his pride and duty to support; and that it would only ruin him, to endeavour to gain his ends by actions at law, as he would use all his influence to disappoint him. In these circumstances, it would be rash and fruitless not to submit to him; for whichever course he might take, he would only injure himself by resistance.

Sir Donald had now some new light afforded him, that he never dreamed of, but by which he was made to see, that he whom he had all along taken to be his best friend, was in reality his most determined enemy. He was aware, however, that his uncle was a "bitter enemy," to whose persecution there was no limit but his ability: and that his interest was great with the king and council, whose proceedings were arbitrary, and very little bounded by law. Upon the other hand, he knew that Lord Caithness would be very glad of his friendship, and would, upon obtaining it, do all in his power to support him; but he was much disabled by the train of adverse circumstances he had met with.

To enable him the more effectually and speedily to work out his purpose, Sir Robert set about to weaken Sir Donald's friends in Sutherland, or to alienate them from him. He first endeavoured to gain the Sil-Thomas Mackays, who were very powerful in that district, but they would not forsake their chief. The Mathesons were also powerful; and they were so linked by alliances and otherwise, with the Sil-Thomases,

that they were as one people. He must therefore sow jealousies and discords between these two tribes, so as to divide them. By flattering the vanity of the Mathesons, he made them elect a chieftain of their own, so as to come under his banner, as representing the Earl of Sutherland, in place of that of Mackay, under which they had been hitherto. About the same time he got his brother Alexander knighted, and made sheriff of Sutherland.

Terms of friendship and amity had subsisted between the houses of Mackay and Duffus. William Sutherland of Duffus died soon after the late Earl of Sutherland, and was succeeded by his son, between whom and Sir Donald a close intimacy subsisted. Sir Robert first used all his arts to divide them, and to gain Duffus to himself. The latter was aware, however, that it was unsafe to confide in him who had been acting so unnaturally and unjustly towards his own nephew, and he therefore judged it to be more safe, and also more creditable, to abide by his friend Sir Donald. The other, on that account, was determined to do all in his power to cross and annoy him, with regard to his succession to his father's lands in Sutherland, that were held of the Earl. Young Duffus applied to Sir Robert, as tutor, to enter him to the lands of Skibo, Torboll, and Pronsies; but in place of doing so, he went to England, so as to be beyond his reach, until the legal period, within which he ought to have entered, should elapse, that the lands might thereby fall into a state of nonentry; to prevent which, however, Duffus charged his superior and his tutor to enter him, by which means Sir Robert lost that aim; but he attacked him on another quarter, where he was more successful.

Duffus had obtained from the chanter of Caithness, a tack of the tiends of Pronsies, which had been held by the Earl of Sutherland under a tack long since expired. It would appear that the earls had held these tiends from the year 1545, when bishop Robert Stuart let them to Earl John, as has been related. Whilst Sir Robert was in England, his brother, Sir Alexander, procured letters of inhibition against Duffus, at the instance of the young Earl and his tutor, and arrested the corn on the

ground, until the tiends were paid; but Duffus having loosed the arrestment on caution, he cut down, and led all his corn to his barnyards. Sir Alexander, thereupon, in contempt of all law and justice, went with a strong body of men, and, *brevi manu*, cast all the corn, and carried away the tiend sheaves, under the pretence of defending the Earl of Sutherland's right. Duffus, to obtain redress, caused, summon Sir Alexander to appear before the privy council upon the 16th January 1617. Both parties, with their friends and followers, went to Edinburgh, where Sir Alexander, who had every cause to fear the issue, suborned his followers to draw Duffus, whose temper was high, into a quarrel, which accordingly took effect. Sir Alexander and his men having been chased, as they had preconcerted, he immediately caused Duffus be summoned to answer before the privy council for this pretended riot and assault. Finding that there was but little prospect of obtaining justice, Duffus was advised by his friends to refer all matters to arbitration; which he did; but all came to nothing. The chanter also had brought an action at his instance against the Earl of Sutherland and his tutor, regarding these tiends, before the lords of session; but they preferred the latter, although his claim had been long extinct. Such treatment did justice receive in her courts of those times!

After having so far prevailed against Duffus, Sir Robert proposed a meeting with Sir Donald to settle their differences regarding the boundaries of both districts. They agreed to refer the matter to arbiters. Sir Alexander Gordon, and Gilbert Gray of Skibo, were chosen for Sutherland; and John Mackay of Dirlet, Sir Donald's brother, and John Munro of Lumlair, on Sir Donald's part. The reference had a plausible appearance, but the arbiters were unequally matched. Not only were Sir Robert and his brother uncles to Sir Donald and his brother, but Sir Alexander's wife, Margaret Macleod, daughter of Donald Macleod of Assint, was their aunt; and while these afforded an opportunity to exercise undue authority over the Mackays, under a cloak of friendship, the two veterans, Sir Alexander and Gray, were too many for John Mackay and Munro, who were both young

men. Sir Robert says, "Mackay caused his countrymen pasture their cattle at the very doors of Shiness and Lairg, alleging the same to be the marches and bounds of Dirrimore, unto the which he made claim by his last infeftment given him by Earl John the year 1606."* Doubtless Sir Donald had good grounds to insist for all that was included in that infeftment; and Sir Robert does not deny that the marches therein specified were to the extent claimed by Sir Donald; nor does he offer any reason why his boundary to that extent was objected to. It would appear that, notwithstanding of the infeftment, Sir Robert prevailed with the arbiters to adopt the fallacious principle, that the sources from which the waters run to the respective districts were the natural and proper boundaries: and upon this principle they found, that the mountain Benhie was the march in that quarter; by which Sir Donald was deprived of a large tract of forest and grazing ground. Having got matters thus far to his mind, Sir Robert deferred arranging as to the boundary on the east of Strathnaver, until a more convenient time.

The following admissions by Sir Robert are not a little remarkable. "The pretended cause of Mackay his discontent, for the which he did forsake the house of Sutherland, was, that Sir Robert Gordon had now excluded him altogether from any government in Sutherland, whereof he was a partner in Earl John his time; that Sir Robert had quite dispossessed him of all that he had purchased, or intended to purchase in that country; that he had taken from him by decreet-arbitral a part of the Dirrimore which the late Earl John had given him; that Sir Robert gave no countenance, yea, rather he was an enemy, to such as depended upon him in the country of Sutherland. In one word, that he perceived all the favours which he had in Earl John his time, was now turned into coldness, being neither regarded nor esteemed by his uncles so much as he did expect at their hands. Neither did this course of Mackay's want some pretences of commodity and profit: for he having

* P. 323. "The forest of Dirrimore" is included in that infeftment.

spent a great deal of his estate these years past in following" (supporting rather) "the house of Sutherland, he now thought that in time coming, it would turn to the great commodity of him and his countrymen, if he did purchase the Earl of Caithness his favour again."*

And did not these afford a sufficient apology for his forsaking the house of Sutherland, to be so ill recompensed for all the good deeds and assistance he and his father had rendered to it? Whilst it is admitted that Earl John placed much confidence in Sir Donald, so much indeed that he was "a partner in the government of Sutherland," it is not alleged that he in any degree acted unworthy of that confidence, or that the affairs of Sutherland were not bettered by his being a partner in their management. It is also admitted that Sir Donald had spent a great deal of his estate in supporting that house; yes, and his father too had done the same. Its very existence was in a manner owing to the support they had given it during its late struggles with Caithness: and now all their reward is ingratitude and injustice. The late Earl himself indeed appears to have entertained a grateful sense of the benefits he had received from both father and son.

Lord Caithness and Sir Donald having held a meeting at Downreay, to consult regarding their respective interests, resolved, among other things, that the Guns should be expelled from their properties. Lord Caithness accordingly ejected them from his lands; Sir Donald removed them from his estates of Strathy, Dirlet, and others; and Angus Mackay of Bighouse dispossessed them from his lands of Strathalladale. The reason assigned was, that Sir Robert had used the Guns as instruments to work his revengeful purposes against Caithness. It was also agreed that John Mackay, Sir Donald's brother, should marry his lordship's niece, daughter of James Sinclair of Murkle, sheriff of Caithness, afterwards Sir James, by his wife, who was daughter of Patrick, Earl of Orkney: which marriage was consummated in the year 1619; about which time Sir Donald gave to his brother, the lands of Dirlet

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* P. 348.

and others in Caithness, and the fine estate of Strathy in Mackay's country; and thenceforward he was called "John Mackay of Dilred."

In terms of a previous agreement, Sir Alexander Gordon, John Mackay of Dirlet, and John Munro then of Obstell, met at Rumsdale, on the border of Sutherland, to adjust the marches between Sutherland and Strathnaver, so far as they bounded together. Sir Alexander was accompanied by five hundred Sutherland-men, and Sir Donald by his own countrymen, and some from Caithness. This matter was settled without much difficulty, from the near vicinity of the allowed property of each, and the position and comparatively small extent of the interjacent grounds; besides, that Sir Robert was now more tractable, from his fears of a junction between Lord Caithness and Sir Donald, and his desire to regain the confidence of the latter.

Lord Caithness was anxious to have Sir Donald's friendship on different accounts; he would be thereby more enabled to defeat the machinations of his mortal enemy; and would entertain some hopes that Sir Donald would abate him his share of the 20,000 merks, and also prevail with Lord Forbes to mitigate his share of that sum, which, as has been stated, Caithness and his son Berridale had bound themselves to pay them, in reference to the affair of the corn burnt at Sandside. Sir Robert alleges, that Lord Caithness had informed the Marquis of Huntly, that Sir Donald intended to invade Sutherland; and that he had about the same time told Sir Donald, that the Gordons had combined together to exterminate him. Both the one and the other, however, appear to have been gross calumnies. It is true that Sir Donald, in virtue of the warrant which he held against Alexander Gun, who burnt the corn, went to Sutherland with a company of his men, in search of him, and that he seized and brought prisoner to Tongue, a William Gun, who had effected Alexander's escape; which act Sir Robert afterwards laid to his charge as a crime, and thereby he virtually became guilty of sheltering the felon. He pursued Lord Caithness with the utmost rigour, for advising the crime; obtained an order on him to deliver up the ac-

tors; and yet he allowed them to reside securely in Sutherland, and supported them so as prevented their seizure.

Sir Robert now thought, that the surest mode of accomplishing his purposes, and of averting the consequences of a coalition between Lord Caithness and Sir Donald, was to patch up a temporary reconciliation with both; and, as the most likely way to succeed, he began with the latter, by proposing a meeting with some friends on each side. They accordingly met at Tain, accompanied by Sir Alexander Gordon, George Munro of Miltown, and John Munro of Obstell, "by whose travel and diligence Sir Robert Gordon and Sir Donald Mackay, were in some measure reconciled." It was proposed at that meeting, that Sir Donald should send "his cousin-german, Angus Mackay of Bighouse, and three gentlemen of the clan Abrach, to remain prisoners in Dunrobin, during Sir Robert's pleasure, for apprehending William Gun;" which, however, did not take effect. Sir Robert, besides his stated enmity at the clan Abrach, bore no good will to Mackay of Bighouse, because he and his family were always on friendly terms with Caithness. Another meeting was appointed to take place at Elgin in June 1619, when other disputed matters contained in a submission then entered into at Tain, should be adjusted: but "Sir Robert would not condescend," says he, "that Embo, or any other of Mackay's dependers in Sutherland should be contained in Mackay's agreement with him." He here admits that Sir Donald still had dependants in Sutherland. The meeting at Elgin did not take place, as Sir Robert was in Edinburgh at the time.*

Having succeeded this far with Sir Donald, the next matter with Sir Robert was, how to manage as to Lord Caithness. George, Earl of Enzie, eldest son of the Marquis of Huntly, and nephew of Lady Caithness, was the best medium through which it could be effected: by whose means Sir Robert having procured an interview with Lord

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* Sir Robert, P. 354.

Caithness, a coloured reconcilement took place, in consequence of which Sir Robert, in July 1619, paid his lordship a visit, and remained with him for four days at Castle Sinclair; and, in return for which, Lord Caithness, in October following, lodged five nights with Sir Robert at Dunrobin. But, what is most remarkable, while Sir Robert is thus pretending a reconcilement with Lord Caithness and Sir Donald, he is at the same time assiduous, without any just cause, in prejudizing the council against them.*

In the beginning of the year 1619, Anna and Mary Mackay, Sir Donald's sisters, were both married at the same time at Tongue; the former to Alexander Sinclair of Brims, and the other to Hector Munro of Clyness, only brother of Robert Munro of Fowlis.

In the following year, the eldest son of Sir John Sinclair of Greenland, was drowned in the rapid rivulet of Reisgill, in attempting to cross it while it was overflowing its banks: his violent and premature death was the more regretted, that he was a very goodly and promising young man. Soon thereafter, Sir William Sinclair of May, and Francis Sinclair, natural son of the Earl of Caithness, fought a duel on the links of Leith; the former had his opponent's sword run through his body, by which he lay some time apparently dead. Francis fled to Berwick, and remained there until William recovered.† Sir Robert, who was

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* 2d June 1619. "Forasmuch as George, Earl of Caithness, and M'Kay of Srathnaver, has appointed a solemn hunting to be kept by them within the bounds of Sutherland, and parts thereabout, pertaining to the Earl of Sutherland, and has their hail friends-men and tenants under warning and in readiness to accompany them to that hunting, whereof Sir Robert Gordon, tutor of Sutherland, apprehending just cause of suspicion that some further purpose is intended by them, to the disgrace of the Earl of Sutherland, in respect of the controversies standing between them; the council issued letters, ordering the Earl and M'Kay to desist from their purpose of hunting within the bounds belonging to the Earl of Sutherland; but to hunt within their own grounds as they chose."—*Privy Council Record.*

Sir Robert takes no notice of this affair in his history.

† February 1620. Order to denounce Francis Sinclair, natural son of George, Earl of Caithness, for not obeying the charge to answer for fighting in single combat with Sir William Sinclair of Mey.—*ib.*

March 1620. John Sutherland of Duffus, cautioner for Sir William, to compear before the council for fighting the duel.—*ib.*

then in London, at the request of Lords Caithness and Berridale, obtained from the king a remission in favour of Francis Sinclair; having embarked in the service the more readily, that he bore no good will to Sir William of May, on account of a strict friendship which subsisted between him and Duffus, who was then no favourite with Sir Robert.

As it may be thought a matter of some surprise, that the Gordons of Embo adhered so strictly to Mackay on all occasions, when none else of the name in Sutherland did so, it may be proper to notice, that they were not of the Sutherland branch, but were sprung from the family of Huntly by another branch. The father of the elder John Gordon of Embo, was John Gordon of Drummy, son of Adam Gordon, dean of Caithness, third son of Alexander, first Earl of Huntly. The connection, therefore, between Sir Robert and these Gordons of Embo, was very remote.

In the year 1621, some difference took place between the laird of Duffus and John Gordon, younger of Embo, which in the end led to more serious results. Duffus, in order to have this affair adjusted, requested an interview with John for that purpose. The meeting accordingly took place. Duffus was accompanied by his brother, James Sutherland, and seven others. Matters running high in course of the debate, and some provoking language having passed, John was suddenly attacked and severely wounded. Some of the Gordons feeling indignant that the blood of any of their name should be drawn within Sutherland, assembled a large company, pursued Duffus, and besieged him in his castle of Skibo, whither he had fled. Thereafter they prosecuted each other before the privy council: Duffus for invading and wounding Embo; and the latter for convocating the lieges, and besieging Duffus in his own castle, without any warrant.

These broils created much annoyance to the three districts. Lord Caithness, the master of Forbes, who then resided on his father's lands in Caithness, Sir Donald Mackay, James Sinclair of Murkle, and other Sinclairs, all supported Gordon of Embo; Sir Robert having taken part with Duffus, was joined by William Sinclair of May, and Macleod of

Assint. John Gordon having had some reason to suspect that Sir Robert was meditating his expulsion from Sutherland, obtained some possessions in Berridale from Lord Caithness, and Mowdale in Strathnaver from Sir Donald. Apprehensive of the result of these disputes, Sir Robert thought of regaining Mackay, and his own ends at the same time, and for these purposes he proposed that they should meet at Elgin in August: but Sir Donald, who too well knew his wiles, declined such meeting at that time. One principal design of Sir Robert's, was to get hold of the minute entered into at Druminor.

Finding himself disappointed on this quarter, he resolved to try another, which he imagined would be to all his intents and purposes effectual, and whereby he might act the tyrant without control. Let himself be heard: "Sir Robert perceiving that his course did not succeed as he expected, he thinks that the relief of the Lord Berridale out of prison might advance his purpose, who, joining with the house of Sutherland, they both might govern and guide the diocese of Caithness at their pleasure. In this meantime, Sir Robert hasteneth to Edinburgh, to dispatch some of the Earl of Sutherland his affairs, where he was no sooner come, than he essayed to work Berridale his relief, by the means of the Lord Gordon."*

It has been stated that Lord Caithness, in the compromise with Lord Forbes and Sir Donald, had resigned part of the bishopric lands he had held in feu. He afterwards repented his having done so, and endeavoured to draw back from that part of his agreement: but in this he was opposed by Robert Munro of Auldy, commissary of Caithness,† the bishop's factor; but who, however, to gratify his lordship, allowed him to retain part of these lands, which were then possessed by James Sinclair of Durran, as his lordship's tenant. Munro afterwards procured

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* P. 366.

† In the record of confirmed testaments before referred to, there is a draft of a precept, commencing thus, "Robert Monro Commiss^{r} of Caithneis." The draft is without date, but mentions a Margaret Duren, who died in 1606.

a lease of these lands to his brother-uterine, Thomas Lindsay, which so provoked James Sinclair, that, having met with Lindsay in Thurso, they quarrelled, and after fighting for some time, the latter received a wound of which he died in a few days. His brother Robert Munro complained to Sir Robert, who advised him to prosecute James Sinclair as actor, and Lord Caithness as instigator; which he accordingly did. Sinclair posted to London, in hopes of procuring a pardon from the king; but Sir Robert, it seems, had the start of him by his letters, so that his hopes were frustrated. He then thought of obtaining the remission by the interest of his kinsman, Sir Andrew Sinclair, envoy for the King of Denmark; but having failed in this also, he eluded his pursuers, by accompanying Sir Andrew on his return to that kingdom.

Lord Caithness, though it is probable he had no concern in the slaughter of Lindsay, could not appear at Edinburgh, as his remission relative to the affair of the Sandside corn had not passed the signet; and besides, there were several writs out against him at the instance of his creditors; and as neither he nor James Sinclair answered their summonses, they were both of them outlawed. Sir Robert then procured a letter from the king to the privy council, fraught with grievous complaints against Lord Caithness; ordering them to stay his remission in reference to the fire-raising at Sandside; and to grant a commission to Sir Robert to proceed with a posse from the neighbouring districts, either to apprehend him, or oblige him to leave the country; and to take possession of his castles and fortresses for the king's use. In that letter, the king also directed the council to call the inhabitants of Caithness and of Mackay's country before them, and compel them to find security, not only to preserve the peace, but also that they should appear at Edinburgh twice every year, to answer to any charges that might happen to be laid against them. Here, however, Sir Robert was outwitted: for the council's order comprehended the people of Sutherland as well as their neighbours, which created him trouble afterwards to get it recalled.

When the council signified the king's pleasure to Sir Robert, respect-

ing an expedition against Lord Caithness, he professed great reluctance to undertake the service, telling them that he of all others was the most improper person to be employed in it, both on account of the long-standing enmity between the families of Sutherland and Caithness, and of the late reconcilement betwixt Lord Caithness and Sir Robert himself: but the council, who well knew that all this was mere grimace, paid no regard to it. He indeed seems to have had some repugnance to the business; but it proceeded from another cause, namely, want of courage—a quality which nature bestowed on him with a sparing hand; nor, as matters then stood, could he calculate on any assistance from Sir Donald. He therefore insisted, that, before he should yield to their mandate, he must be furnished with some armed ships, to prevent Earl George's escape from Caithness; and with ordnance and ammunition to besiege him, in case such was found necessary. But as the council had no advice from the king as to these matters, the business was postponed.

Some considerable time thereafter Lord Berridale, instigated by Sir Robert, who saw no prospect of obtaining the ships and artillery, represented to the council, that it was a most dangerous measure to employ Sir Robert in the proposed expedition, as Lord Caithness and all his friends and followers, who considered him as their greatest enemy, would oppose him to the utmost of their power; and therefore suggested that Lord Gordon should be dealt with to undertake the business, as the fittest to bring Lord Caithness, his uncle-in-law, to hearken to reasonable terms. Lord Berridale had previously been liberated from his confinement, in consequence of Lord Gordon's having become guarantee for his re-entry when required. Lord Gordon had also, at the request of Berridale and Sir Robert, consented to accept of a commission against Lord Caithness, although he never intended to execute it. The council thereupon granted him the commission,* and he in consequence

* 19th December 1622. Commission granted by the privy council to Lord Gordon, against George, Earl of Caithness, narrating many favours and instances of lenity which had been shewn him by the king; notwithstanding of which, "he had not satisfied

corresponded with Lord Caithness, requesting him to renounce all management of his estate in favour of Berridale, who had involved himself so deeply on his account: but finding that request ineffectual, Lord Gordon went first to London, and from thence to France, without taking any farther concern in the matter.

Lord Caithness in the meantime had wrote to the privy council, asserting his innocence of the slaughter of Thomas Lindsay, of which he had been maliciously and unjustly accused; and that his not answering the summons their lordships had issued, was not from any disregard of authority, or any dread of his being found guilty of the crime charged against him, but merely to avoid being seized by his creditors, which would have been the result, had he gone to Edinburgh unprotected from their diligence; but that if the council would grant him a protection, he was ready to find caution for his appearance at any trial relative to that slaughter. The council having agreed to grant him the protection, his two brothers, Sir John Sinclair of Greenland, and James Sinclair of Murkle, became sureties for his appearance at any diet to which he might be called.

Some months before the commission was granted to Lord Gordon, it was contrived—and Sir Robert was one in the plot,—that Lord Gor-

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his creditors, but was also usurping the sheriffship of Caithness without any lawful warrant; that he has for divers years bygone seized upon the bishop of Caithness his whole estate, and living without any form of law," &c. "And he being charged to compear before his Majesty's justice, upon a cruel and detestable slaughter laid to his charge, he refused in any case to give his obedience," &c. Therefore, recommending to Lord Gordon to "deal with him by word or write," to give obedience to the council's order, otherwise to pursue him with fire and sword, reduce his castles, apprehend himself, &c.—*Privy Council Record.*

Same date. Proclamation issued against Lord Caithness, and an order to issue letters "to all earls, lords, barons, and landed gentlemen, within the bounds of the sheriffdom of Inverness benorth Ardersier, and within the bounds of Cromarty, Sutherland, Caithness, Strathnaver, and Orkney, together with the Lord Gordon's own vassals and tenants, excepting the Lords Kintail and Lovat, and the whole clan Chattan, and clan (Kenzie?) to assist Lord Gordon. The letters to be published at the market crosses of Inverness, Wick in Caithness, and Kirkwall in Orkney."—*ibid.*

don, who had gone to London, should request the king to grant a secret commission to Berridale, who was then in Caithness, to apprehend his father; but this did not take effect, as Lord Gordon was on his journey northward before the letter requesting his interference reached him. In April 1622 the creditors had come to Caithness to endeavour some arrangement with his lordship and his son; but all that they effected, was to obtain his promise to meet them at Edinburgh at a certain time; which, however, he did not fulfil, perhaps because he had not received the council's protection.*

Sir Robert was inflexibly bent on pursuing his original plan to get Lord Caithness deprived, so as Berridale and he might rule the north at their pleasure; but he found that the privy council were not so forward in the business as he wished. Seton, Earl of Dunfermline, was chancellor for several years prior to 1622, when he died; he was succeeded by Sir George Hay; and both of them, together with Lord Kentail, and other members of council, had favoured Lord Caithness. Determined as Sir Robert was in the pursuit, his timidity and avarice prevented him from proceeding, unless government should furnish him with artillery and other necessaries for the expedition; and as these were not likely to be granted, he supposed that by making Lord Caithness believe that Lord Gordon had undertaken the business, he might obtain his main purpose on more safe and easy terms.

Lord Berridale's case was truly calamitous: he had been about five years in confinement, in consequence of engagements he had come under to serve his father, and he was still liable to be recommitted at any time. It therefore seemed reasonable that he should have the management of his father's estate, and that the latter should retire on an annuity. On the other hand, family pride, feudal ideas of nobility, and indignant feelings on account of the many injuries he considered himself

* 12th June 1623. Protection by the council, with consent of the creditors, to the Earl of Caithness and William Lord Berridale his son to come to Edinburgh.—*Privy Council Record.* This seems to have been the first protection which Lord Caithness had received.

to have received from the family of Sutherland, and from Sir Robert's incessant endeavours to ruin him, made Lord Caithness hold out with a degree of obstinacy, that, in other circumstances, would be less excusable. It would appear, from the difficulty attending his seizure, that he was not a severe or unkind landlord or neighbour, otherwise his own people would not have been so ready to support him.

During the proceedings against Lord Caithness, Sir Robert was not forgetful of his nephew Sir Donald, with whom he was resolved, if possible, to be on good terms, and at the same time to look carefully to his own interest; and in consequence he proposed that they should have an interview at Tain. Sir Donald judged that it was better for him to forego some parts of his rights, than to continue to contend with such an antagonist, and one who had so many friends in the privy council and session: he therefore concurred in the proposal; and they accordingly met in May 1622, when they entered into a contract, whereby all legal questions then depending, were to be continued until the Earl of Sutherland arrived at majority; the marches of both districts, as before estimated, were confirmed; and the renunciation of the warrandice, so often before alluded to, was recognised and ratified. Sir Robert then had his ward infeft in some lands in Durness which belonged to the bishopric, in consequence of a resignation thereof into the hands of John Abernethy, bishop of Caithness, and a renewal of the feu by him in favour of the young earl.

Sir Donald found himself disagreeably situated with regard to the disputes between Duffus and John Gordon of Embo, both of whom confided in his friendship, while he was, on the other, solicitous to secure the confidence of both. He used every endeavour to reconcile them, but without effect. As the power of the Gordons in Sutherland had become absolute, John Gordon found that their friendship was indispensable; but this he could not obtain without Sir Robert. Duffus, however, looked upon himself as independent of them, as but a small part of his property, comparatively, lay within Sutherland. Sir Robert and his friends persuaded John Gordon that Sir Donald leaned more to Duffus

than to him, which led him to entertain some jealousy of his old friend; at any rate, his circumstances were such, that he withdrew from Sir Donald, and their former intercourse was in consequence interrupted for a time.

In June 1623, Sir Robert went to London, and, through the interest of his friends, procured from the king ample instructions, according to his desire, with regard to the pursuit against the Earl of Caithness; with which he returned in haste to Edinburgh, and laid them before the privy council: but as his nerves still vibrated a little, he requested that Sir Donald Mackay, Sir Alexander Gordon, Sir Andrew Murray, and James Sinclair younger of Murkle, might be joined with him in the commission, which was readily granted.* He immediately posted to Sutherland, from whence he sent notice to the adjoining districts to be ready against a certain day to accompany him on his expedition; and in the meantime Lord Berridale went to Caithness, to inform his father of the preparations which were making against him, and to endeavour to bring him to terms, so as to avoid the impending storm, in which, if he failed, he was to send notice to Sir Robert when the frigate appeared on the coast of Caithness. Lord Caithness, however, refused to submit,

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* 1623. July 10. "S^r^ Robert Gordoun and S^r^ Alex^r^ Gordoun vncles to the Erle of Sutherland, S^r^ Andrew Murray of Balvarde S^r^ Donald M^c^Ky of Straithnaver and (James) Sinclair appeirand of Murkall commissioners of fire and sword against George Erll of Caithnes The Lordis of Council ordain lres to be direct to command and charge all and sundrie erllis lordis baronis substantious fewaris and landit gentlemen within the boundis of the srefdome of Innerness benorthe Arthursyre *(now Fort-George)* and w^th^in the boundis of Cromartie Sutherland Caithnes and Strathnaver and w^th^in the boundis of Orkney exceptand and reservand from this concurrence the Lordis Kentaill and Lovat and the whole Clanhenyes *(Mackenzies)* and their men tenentis and servantis As alswa the haill persounes of the Clan-chattane who sall be na wayes subject to this service be oppin proclamatioun at the mercate croce of Innerness Weeke in Caithnes Kirkwall in Orknay and vtheres places neidfull That they and ilk ane of thame weill bodin in feare of warre in their most substantious and warlyke maner prepare thameselves and be in readiness to ryss concurre fortifie and assist his Ma^ties^ saidis commissioneres in the executioun of this service And for this effect, &c."—*Copied from the Original, in the General Register House.*

20th August 1623. Warrant granted by the privy council, to furnish the above commissioners with a frigate and cannon, &c.—*Privy Council Record.*

thinking it to be a matter of indignity, as well as of danger, to place himself in any shape at Sir Robert's mercy; but, at the same time he sent him a letter, desiring him to send some confidential person to hear his terms, and convey them back to him, that, if possible, matters might be compromised before he proceeded to extremities; and that if he did not consider his offers reasonable, he had only to reject them; adding, that he should keep in mind that he was a nobleman, a peer of the kingdom, and one who had been intrusted by the king in a similar service in Orkney, which he had executed with fidelity, and to his Majesty's contentment; that nothing could be justly charged against him but what concerned civil transactions, in which his creditors only were concerned; all matters of a criminal nature alleged against him being mere calumnies fabricated by his enemies; and that it was a thing unprecedented, that a nobleman should be pursued as a traitor, merely for his getting into debt, when no crime was proved against him: he therefore recommended, failing of his entering into any negotiation with him, or of his rejecting his offers, that he might give him time to represent matters to the council, before he adopted the last alternative, of invading his country. To this letter Sir Robert wrote a pithy answer, only that its preamble is questionable, namely, "That he was *exceeding sorry* that the earl had refused the benefit of his last protection, for clearing these imputations which were laid to his charge, whereby now the means of capitulating were taken away." Indeed, it was not to be expected, as circumstances then stood, that any farther delay could be granted.

Finding that Sir Robert was resolved to execute the commission, Lord Caithness prudently conveyed himself to Orkney. The former states, that "he had fortified the strong castle of Ackergill with men, munition, and victuals, thinking there to set up his rest and his last cast, and sure anchor of refuge in this extremity." Whatever may be in this, it is very doubtful whether Sir Robert could have prevailed against it unless by famine. It is a square tower, about sixty-five feet in height, and in breadth at each angle forty-five feet, having three stories, each of them arched; the walls above ten feet thick at the butts of the arches,

the curves of which commence within little more than two feet from the floor of the lower apartment, but somewhat more from the floors of the two upper stories; it stands on a rock close to the sea, a few feet above the highest water-mark, and is defended by a moat twelve feet deep, and equally broad, extending alongst each of its angles, excepting the one facing the sea: the ground in its vicinity, to the distance of some miles, is so low that it could afford no commanding position or safety to the assailants. This tower is as strong at the present day as when it was built. His lordship judged wisely, however, in making his escape, which prevented his people from being plundered of their substance, and left to his enemy the pleasure of a pompous procession, which by far suited him better than a battle or a siege.

Sir Robert occupies no less than six folio pages in describing this wonderful and valorous expedition, with its concomitants, all performed in the true knight-errant style. Having had certain intelligence that Lord Caithness was fled the country, and that the frigate had arrived, he adventured to go forward to Caithness, accompanied only by the men of Sutherland, that the glory of the business might admit of no division, excepting that he made an appointment with Sir Donald to come with his men to meet him. He had his right wing, and left wing, and middle battle, and scouts, and searchers of fields, and cleaners of passages, and reserves, and night watchers, and centinels, and secret spies, all, all formed, arranged, led, and commanded in right military manner. Thus provided and thus prepared, he advanced onward upon the third day of September 1623. At Ausdale, near the border, he was met by Lord Berridale, James Sinclair younger of Murkle, one of the commissioners, and some others. Next day he marched to Latheron, about seven miles, where he encamped. There he was met by James Sinclair of Murkle, Sir William Sinclair of May, Sutherland of Forse, and sundry other Caithness gentlemen, besides three hundred men, whom he gave in command to James Sinclair younger of Murkle, who, by his orders marched them a mile before his army, until they arrived at Castle Sinclair, which was no sooner summoned, than "this fort was presently

rendered, and the keys thereof, in his Majesty's name, delivered unto Sir Robert Gordon. Here they encamped two nights, the principal men of the army lying within the castle, which was guarded by Sutherland-men. During all this time, Sir Robert had secret spies throughout all the corners of Caithness, not only to search for the earl, if he returned, but likewise to remark the carriage of the inhabitants, whom they perceived very quiet, but exceedingly grieved that Sir Robert Gordon, or any of the house of Sutherland, had the honour to be employed in this service."

From Castle Sinclair he proceeded to Ackergill, and from thence to Kiess, and had the keys of the castles of both places delivered to him in a similar form. Having called on his cousin, Lady Caithness, she earnestly requested him to use his endeavour to procure her husband's peace, as he had done all in his power to comply with the king and council's orders, and had offered no opposition to his party: but he was as deaf as the house-wall to her entreaties: in which case, and under those circumstances, his visit was indecorous in itself, and insulting to the lady's feelings.

On his return to Wick, Sir Robert was joined by Sir Donald Mackay and the choicest men of his country: but as the mighty enterprise had already been performed, and as he meant to retire with the same caution, and in the same order in which he had advanced, having accompanied Sir Donald "two miles from Wick, still marching with his company as a van-guard," he allowed him and his men to return home. "Sir Robert being turned from Wick, he marched with his army to Knockinnan, where he encamped one night, and from thence he returned into Sutherland with good success and credit."

Here a striking difference appears, with regard to the courage of these two commissioners. The Mackays and the Sutherland-men were equally disliked by the Caithness inhabitants; and on this occasion, both the former invaded Caithness under the same commission. Sir Donald marched with a smaller company without fear, or vain-glorious parade, forward and back again through the whole length, and most populous

parts of Caithness. Indeed, there was no cause of fear in the case; for all that Lord Caithness intended, was to retire to Orkney, until that puff was over, and then to return, which he accordingly did, and enjoyed as much ease and freedom as before; with this difference only, that he lived on an annuity, and his son managed his estates. All the criminal actions against him, about which Sir Robert, and, through him, the council, made so much clamour, soon died away. Sir Robert went immediately to Edinburgh, where he obtained from the council a letter to the king, of a pompous and fumid import and style, with which he posted to London. "His Majesty and the prince his son," he says, "received him graciously, and infinitely approved the service, and the happy success thereof."*

It has been noticed, that an order of council was issued, for calling the inhabitants of the three northern districts before them twice in the year, to answer to such charges as might be laid against them, in place of having them cognosced at home, according to former usage. Sir Robert, through whom that order was given, and who procured it with a view to distress the inhabitants of Caithness, soon came to find that its consequences were not less injurious to the people of Sutherland, many of whom were summoned to appear before the council, for wearing pistols, shooting deer, and other offences. "Many innocent and guiltless persons," says he, "were called to Edinburgh, to give their answer before the lords. The guilty were often overseen by the officers and messengers for a piece of money, to the great grievance of the subject. Sir Robert having informed the council of these abuses, they granted commission to him, jointly with Sir Donald Mackay and Sir Alexander Gordon, to call such offenders to account, and to fine and otherwise punish them, in terms of the act of parliament made thereanent."†

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* P. 375—384.

† 29th July 1623. "Sir Robert and Sir Alex^r Gordones, vncles to the Earle of Sutherland, Sir Donald M^cKy of Strathnaver, and James Sinclair appeirand of Murkle, commissioners for punishing the beareing and weareing of hacquebutis and pistollettis, and the slaughter of wyld foull and vennison within the boundis of the diocie of Caithnes."—*Copied from the original in the General Register-House.*

Lord Forbes, whose lands in Caithness lay at so great a distance, and which had involved him in several lawsuits and other troubles, sold them, with consent of his eldest son, to Sir Donald Mackay, and John Sinclair son of George, brother of Sir William Sinclair of May. The latter purchased the lands of Dunbeath and others, and Sir Donald bought the lands of Downreay, Isauld, Reay, Sandside, &c.* He now commanded a district of nearly a hundred miles in length, from the hill of Skaill to Glencuil, at the border of Assint, besides the lands of Spittle and others.† But from his too high spirit, his sense of honour, excessive liberality and loyalty, and the advantage taken of him by his friends, he left his property sadly curtailed to his successor. The sale by Lord Forbes took place in the year 1624.

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* On the same day that Sir Donald was created Lord Reay, the king granted him the following charter, viz. "Charles, &c. Know that we have given, &c. to Sir Donald Mackay of Strathnaver, knight, and his male heirs and assignees whomsoever, by inheritance, all and whole of the towns and lands of Sandsyde, Rea, with the milns of the same, Davochow, Borlum, Miltown, with the miln and miln-lands, multures, and sequels of the same, Isauld, Acharasker, Achamurlane, and Shurarie, with all and whole of the milns on the said lands, multures, and sequels thereof, and pertinents, with the fisheries in fresh and salt waters, of salmon and other fish, &c.; woods, forests, &c. all lying within the barony of Dunbeath, and our sheriffdom of Inverness; on the resignation of Alexander, master of Forbes, with consent of Lady Ann, mistress of Forbes, and of Arthur Lord Forbes, Lady Jane Elphinston, Lady Forbes, Margaret Forbes relict of George Sinclair of Dunbeath, Claud Hamilton now her spouse, Margaret Sinclair daughter of the said George Sinclair, &c. Clause of novodamus—of erection of the burgh of barony of Rae, and of the Port of Sandside—liberty of holding a weekly market, and four free fairs yearly at Rae, &c. At Whitehall, 19th February 1628, and third of the king's reign.—*Great Seal Register,* Book 52. No. 100. *translated.*

"November 1628. Sasine Sir Donald M'Ky, of lands in Nova-Scotia."—*Minute Book, Gen. Reg. Sas.* Lib 25. Fol. 8.

† 30th Nov. 1732. An inventory of the title-deeds of the lands of Spittle, Mybster, &c. was recorded in the sheriff-court books of Caithness, which includes the following: Two charters by the Master of Forbes, &c. in favour of Sir Donald Mackay of Strathnaver, dated 16th and days of August 1624; and two sasines thereon, dated 22d Nov. 1624.

Charter of confirmation Sir Donald Mackay to John Sinclair, heir-apparent of Brims, of the lands of Mybster and others, dated 28th Sept. 1626.

Disposition by the Lord and Master of Forbes in favour of Donald Lord Reay, of the lands of Spittle and others, dated 13th May 1638.

Sir Robert has drawn a sketch of the character of King James, whom he terms "a great king." He gives him all the credit of the peace which obtained between Scotland and England in his time. But that peace subsisted during the long reign of Elizabeth, although each kingdom had its own sovereign, and though the partisans of James's mother, both before and after she resigned her authority, instigated by France, endeavoured to embroil Scotland in war, both with itself and with England. It was not James, but the protestants of both kingdoms, who saw it to be for their mutual interests, to unite in opposing the return of popery; and Elizabeth, though, too like her father, she claimed to be head of the church, and was fond of popish relicts, dignity, and show, yet she was a more determined protestant than James. The over-colourings of Sir Robert's sketch will best appear, by comparing it with the character of that prince, drawn by Dr M'Crie in his Life of Melville, where the best exhibition of him is given, that has yet been seen. Sir Robert indeed, does him some justice in one instance, namely, "It was his main fault to pass all businesses by his favourites, and at their pleasure." He should have added, that the most worthy were seldom, if ever, among the number.

CHAPTER IX.

Sir Donald now turned his attention to a pursuit far more noble in itself, and better suited to his genius, than contending with a crafty, rapacious uncle. Soon after the accession of Charles to the crown, Sir Donald went to London, and requested his Majesty to grant him permission to raise a regiment, to assist Ernest Count Mansfeldt, who had formerly fought under the Duke of Savoy, but having renounced the popish religion, had become general of the Bohemian army, which had long fought with renown, for their civil and religious liberties. King

Charles referred Sir Donald to Count Mansfeldt's agent, who was attending the English court: he at once entered into the measure, and all the articles having been agreed on, the agent and Sir Donald's friends, whom he had authorised for the purpose, entered into a contract, which was transmitted to him to Scotland, in March 1626. On the 3d, the council received the king's letter, directing them to grant commission to Sir Donald M'Kie, knight, to levy and transport 2000 men to Count Mansfeldt; and which was granted accordingly on the 6th.* Sir Robert says, that in a few months he levied about the number of 3000 men, the greater part of whom he embarked at Cromarty in October, but Sir Donald himself, was prevented by sickness from accompanying them.† He followed them to Germany, in the beginning of next year; and having been informed that Count Mansfeldt was dead, he engaged with the King of Denmark, who had embarked in the same cause. Colonel Robert Munro, who had gone out a lieutenant in that regiment, writes, that they sailed from Cromarty on the 10th of October 1626, and arrived in five days at Luckstadt on the Elbe, from whence they were, by order of his Danish Majesty, sent to Holstein, where they remained six months.

Some of the officers were, Arthur, son of Lord Forbes, lieutenant-colonel; Thomas Mackenzie, brother of the Earl of Seaforth; Sir Patrick Mackay of Lairg in Galloway; Robert Munro, laird of Fowlis; Hector Munro, his brother; John Munro of Obisdell; Robert Munro, his brother, above referred to; John Munro, brother of the laird of Assint in Ross; Captain Learmonth, brother of Lord Balcomy; David Martin; John Forbes of Tulloch; Andrew and William Stewarts, brothers of the Earl of Traquair; Iye Mackay; William Mackay, son of Donald of Skowry; Francis Sinclair, son of James of Murkle; John Sinclair, son of

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* Privy Council Record.

† 22d August 1626. Order by council, to deliver to Colonel Sir Donald M'Kie, Robert-Abrach M'Gregor and others, who were prisoners in the tolbooth of Edinburgh, to serve in his regiment.—*ib.* It is said that this M'Gregor had shewn much bravery in the German wars.

the Earl of Caithness; Andrew Munro, son of John of Lumlair; Hugh Ross of Priesthill; David and Nicolas Ross, sons of Alexander of Invercarron; Hugh Gordon, son of Adam of Culgowr; John Gordon, son of John of Garty; Adam and John Gordon, sons of Adam Gordon; William Gun, son of John Gun *alias* Robson, formerly in Strathy; John Gun, son of William of Golspykirkton; George Gun, son of Alexander, lately in Strathy; John Innes, son of William of Sandside; Alexander Seton, lieutenant-colonel; Captain Boswell; Captain James Dunbar; Captain Robert Innes; Captain John Forbes; Captain Duncan; Farquhar Munro; Murdoch Polson; Lieutenant Robert Stewart; Captain Annan, Captain Kerr; Gavin Allan; Captain Alexander Hay; Lieutenant Arbuthnot; Lieutenant Beaton; Ensign Seton; Lieutenant Robert Hume; Captain George Stewart, &c. Most of these are mentioned by Colonel Munro, and the rest by Sir Robert; but there were several other officers, whose names they omitted. There were also many gentlemen's sons who had entered as non-commissioned officers and privates; and even Robert Munro of Fowlis went out as a cadet.

During the dependance of the treaty with regard to the regiment, a commission was directed by the council to Sir Donald and his brother, John Mackay of Dirlet, to apprehend one Angus Gun, who had been summoned to answer to some criminal charge, but had failed to appear. Gun, who dwelt in Caithness, having had notice of this, fled to Sutherland, and concealed himself there amongst his tribe. Sir Donald, who was then in the south making arrangements for his expedition, wrote to Sir Alexander Gordon to apprehend Angus Gun, but as he had neglected the business, either because of its difficulty, or from favour to the Guns, Sir Donald wrote to the laird of Duffus to seize him, and authorised him to call as many of the clan Abrach as he might require to assist him. Accordingly Duffus sent his two brothers, John Sutherland of Clyne, and James Sutherland, with a small party to apprehend Gun, who having done so, Duffus himself, accompanied by William Mackay, brother of Murdoch, the clan Abrach chieftain, and Alexander Murray younger of Shiberscross, with three hundred men, mostly of the

clan Abrach, came up to prevent Gun's being rescued by his clansmen. Sir Alexander, to save his credit, assembled the Guns and others, and having overtaken Duffus, he shewed him Sir Donald's letter, and requested Duffus to deliver the prisoner to him, pledging himself to convey him to Sir Donald, who was then at Cromarty. After some hesitation, and taking him bound to fulfil his promise, Duffus gave him up to Sir Alexander, who went with him to Cromarty, and delivered him in terms of his agreement.

Sir Robert, however, made a handle of this innocent affair, to gratify his spite against Duffus and his brother John. During the conference between Duffus and Sir Alexander, a scuffle took place between some individuals of their companies, in which two of Sir Alexander's men were wounded. By Sir Robert's procurement, Duffus and his brother were cited to appear before the council upon the 16th November 1626. But Duffus died in October; and Sir Robert vaunts over his memory in his usual style. His brother John went to Edinburgh. "It was found," says Sir Robert, "by the lords, that the laird of Clyne had passed the bounds of his commission; for the which, he was adjudged to be imprisoned in the tolbooth of Edinburgh, there to remain until he did satisfy his adverse party, and also until he did present some of his side who had not appeared, being cited." He does not say in what respect Clyne had exceeded the bounds of his commission. If he was at all guilty, he was still less so than Sir Alexander. John merely assisted his brother Duffus, who had Sir Donald's mandate to seize Gun, and Sir Alexander, on the same authority, took charge of him; and not only so, but the whole was done under the orders of council. According to Sir Robert's statement, Clyne was afterwards compelled to submit to the most abject terms before he was liberated. After all, he concludes thus: "Thus we see, that happy are they who refer their vengeance to God: and this may teach all vassals to be faithful and obedient to their superiors and landlords;" or, in other words, to observe *passive obedience* and *non-resistance* towards their tyrants!

Colonel Munro's work furnishes considerable information, as to the

conduct of Sir Donald and his regiment. The cause was amongst the most honourable to Scotland and to the Mackays, that ever they were engaged in; and the most beneficial too, as those Scotsmen who returned from Germany, brought with them such views of civil and religious liberty, as were a blessing to their country as well as to themselves. The book itself, which is termed "Munro's Expedition," was printed in the year 1637, and is very scarce; and the principal actions which he describes, are here selected from large quantities of matter, having a profusion of observations interspersed, which, though they may be just in themselves, and suited to the genius of that age, the most of them no modern writer would take any notice of, unless a novelist might use some of the terms or expressions to adorn his fanciful tale.

Colonel Sir Donald Mackay having recovered from his sickness, embarked for Holland, from whence he travelled by land to Holstein, where he arrived in the end of March 1627. Soon after his arrival, orders were issued, to march his regiment under arms to Eittho, to be reviewed by the king; which having taken place, "his Majesty being mightily well pleased," says Munro, "did praise the regiment, that was ever after most praise-worthy." "The next day, the Colonel, and Lieutenant-Colonel Forbes, were commanded to march over the Elbe with seven companies, and beset the town of Stoade with two companies, and then to march with the other five towards the Weser, to join with the English forces, being four regiments of foot commanded by General Morgan."

It will be observed that Colonel Munro only states such matters as took place under his own notice, or in his vicinity: As he was for the most part separated from Sir Donald and several divisions of the regiment, he gives no account of the services in which the latter were engaged while they were so disjoined, or at a distanee from each other.

After various marches and skirmishes with the imperialists, the Danish army, which were then 8000 strong, were obliged to retire. Having lain for five weeks at Wiemar, until some time in October, they were prevented from returning to Holstein by the emperor's forces, who had advanced from Silesia, and joined Tilly's army; and were therefore un-

der the necessity of escaping by sea: but after they had landed in safety at Heligenhowan, and marched to the pass of Oldenburgh, they were there intercepted by the enemy, and all their ardour and metal were put to the proof.

The design in retiring to that pass was to wait there for considerable reinforcements which they expected, supposing that, because of its difficulty, they might be able to defend it against a far superior enemy: but the general neglected to have it previously fortified, and also to have his small army sufficiently provided in shot, for which he was afterwards blamed. The men were immediately set to work to make trenches, at which they laboured all night, and next day till noon, when they discovered the enemy advancing towards the pass in formidable numbers of horse and foot; and before three in the afternoon, the latter had planted their cannon, "which our general perceiving," says Munro, "he gave order to double the guards, both of horse and foot, as also strongly to barricade the pass, and to cast up in the night a redoubt before it.

Next morning the service commenced by a skirmish betwixt the guards, which was succeeded by a close and severe contest of artillery, horse, and foot, on both sides; the one to force and the other to defend the pass; till at length the Danish army were giving way. Sir Donald was then ordered to march quickly with half of his regiment to maintain the pass. "The colonel leading on," says Munro, "marches toward the pass under mercy of cannon and musket; they shouting for joy, cast up their hats, seeming glad of the occasion. At our advancing, the enemy's cannon played continually on the colours, which were torn in pieces; also, to my grief, my comrade Lieutenant Hugh Ross, was the first that felt the smart of the cannon ball, being shot in the leg, and falling, not fainting at his loss, did call courageously, 'Go on, brave comrades, and I wish I had a wooden leg for your sakes!' As we drew near the pass, the Dutch that were on service all fled but the captain: the pass being near lost, my colonel drew off a platoon of musketeers of the right wing, being most of them brave young gentlemen of the colonel's own company, which in all haste were directed to maintain the

pass, which being very hardly pursued, sundry young gentlemen did lie on the place in defence of it." "By this time the rest of the colonel's division were not idle,—the reliefs going on, and the rest doing service along the pass, having a hedge for their shelter. The pikemen of the regiment stood for two hours in battle, under mercy of cannon and musket, so that their sufferings and hurts were greater, both amongst officers and soldiers, than what was done to the musketeers that were in service; for few of their officers escaped unhurt, and divers were killed. In time of this hot service, a whole barrel of powder was blown up, whereby the colonel was burnt in the face, and many soldiers damaged. The enemy seeing our powder blown up, press to force the passage, and some of them having come over, Captain John Munro, with a few musketeers, was commanded to encounter them, who forced them to retire, so that the pass was cleared by his valour."

After an arduous engagement for two hours, this division of Mackay's regiment was relieved by the other, led by Lieutenant-Colonel Seton. They fought for the like space of time, with the same bravery as their comrades: after which, as the enemy's attack became less violent, the regiment served by companies, till night produced a respite. There were several officers killed, and thirteen wounded; among the latter were Lieutenant-Colonel Seton, (who had succeeded to that rank upon the death of Forbes) Sir Patrick Mackay, and Munro himself. During the night, as there was no hope of maintaining the pass any longer, Mackay's regiment, (after leaving about 400 soldiers dead on the field,) and as many of the other troops as could escape, took shipping; and after landing at Flensborg, went from thence to Assens. The enemy having seized Holstein and Jutland, the king was obliged to retire with the remains of his army to Denmark, where the enemy, who had no command of ships, could not follow him.* Munro concludes thus: "Never

* "In the evening," says Munro, "ammunition growing scarce, and darkness coming on, the service begins to bear up. By this time there is a large cask of beer sent to us from the Leaguer; the officers for haste causeth to beat out the head of it, that every

men went on service with more cheerful countenances than this regiment did, going as it were to welcome death; especially fighting in a good cause against the enemies of the daughter of our king—the queen of Bohemia, for whose sake our royal master did undertake the war; and for her sake, I persuade myself, our noble colonel did engage his estate, and adventure his person to have done her Majesty good service." Five regiments of foot and thirty-six cornets of horse, who had no means of escaping, were taken by the enemy; and rather than they should be sent to prison, they enlisted in the emperor's service.

Previous to this engagement, Dunbar, now major, had been ordered, with four companies of Mackay's regiment, to maintain the castle of Brandenburg in Holstein, with a strict charge not to surrender it on any condition,—a multitude of persons having taken refuge there, when the enemy had entered the country, and carried all their valuable subjects with them; besides that it contained much treasure belonging to the duke. The castle was suddenly environed by Tilly, at the head of 10,000 men. He sent a trumpeter with a peremptory summons, demanding entrance, which having been refused, a hot siege commenced, which lasted without intermission for six days, during which Dunbar bravely resisted, and

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man might come to it with hat or head-piece: they flocking about the waggon whereon the beer lay, the enemy's cannoneer gives a volley to their beer, which, by God's providence, though shot amongst the midst of them, did no more harm but blew the cask and beer in the air—the nearest miss I ever did see: for many of them were down to the ground, of whom my brother, Captain John Munro of Obistell, of worthy memory, was one."

He adds the following ludicrous anecdote: "Being quartered a mile from Luvenburg, we sent our suttler, John Matheson, to that town for a supply of provisions. In his absence our boys made use of his rug to cover their faces in drowning of bee-hives; the rug being rough, lodged a number of the bees; the suttler coming home late, went to rest, and putting off his clothes, drew his rug to cover him: but as soon as the bees found the warmness of his skin, they began to punish him for his long stay, that he was forced, roaring like a madman, to rise and throw off his rug, not knowing, though well he felt the smart of his enemies. We, being in bed, called to him, asking if he was mad? He made no answer, but cried the devil had bewitched him; till a candle was lighted; and seeing the bees, he threw his rug into a draw-well."

did much execution on the enemy, till at length the latter approached to the moat, and made two breaches in the wall. Tilly then sent a drummer to the major, ordering him to surrender, otherwise he should put all of them to death without mercy. The latter returned for answer, that he would not capitulate, while there was a drop of Dunbar's blood in him. Soon thereafter, however, this brave officer received a musket-ball in the head, which instantly killed him. The other officers, having, after his example, refused to yield, the siege went on with redoubled fury. In a little time after their commander had fallen, Captain Duncan Forbes and Lieutenant Barbour were killed, and Captain Carmichael, who had come to the castle merely to pay a visit to his brother officers. The enemy having got over the fosse, and stormed the breaches, took the castle, and put all its inmates to death, without distinction of office, age, or sex, excepting five or six persons who made their escape, one of whom was Ensign Lumsdane. "The whole court and lodgings," says Munro, "were running with blood, and the walls and pavement are sprinkled with our Scottish blood, which is to be seen at this day." "It is reported," continues he, "that after the fury was past, they made inquisition for the major's body, and having found it, they ript up his breast, took out his heart, sundered his gums, and stuck it into his mouth; they also killed the preacher, who, being on his knees begging life, was denied mercy." This worse than savage behaviour can only be accounted for from the bigotted and merciless genius of popery, in the maintenance of which Tilly was engaged: he himself was among the first rank for bravery,—a quality which is generally accompanied by generosity. The imperialists lost more than 1000 men during this siege; and above 300 of Mackay's regiment were either killed or butchered. Munro gives a high character to this Major Dunbar, as a man, a soldier, and a christian.

Whilst this regiment continued to serve the king of Denmark, (and that was until peace was concluded in the year 1629,) they were always ordered to the most hazardous posts, and sent on the most dangerous expeditions. They were often engaged, suffered severely, never yield-

ed or flinched, but on all occasions came off with honour. "Their enemies," says Munro "in all encounters, could not but duly praise them, calling them *the invincible regiment,* which always rencountered them on all occasions: so that Mackay's name was very frequent, through the glorious and never-dying fame of his regiment; never wronged by fortune in their fame, though divers times by their enemies they sustained both loss and hurt. But would to God we had always met man to man, or that our army had consisted all of such men and such officers; if so had been, our conquests had extended as far as the Romans of old did extend the limits and borders of their empire; which, for my wish, I would bestow on the Prince Elector Palatine, born by the jewel of Europe, the Queen of Bohemia. his royal mother."

In January 1628 Colonel Sir Donald found it necessary to return home to recruit his regiment, which was then greatly reduced. He was accompanied by Captains Sir Patrick Mackay, Annan, Munro of Obistell, Forbes, Sinclair, and John Munro, and Lieutenant Robert Stewart. Captain Munro, baron of Fowlis, followed soon after. Munro, who writes the expedition, was promoted to be major, in room of the intrepid Dunbar, and left in command of the regiment in the interim, Lieutenant-Colonel Seton having gone on leave to Holland.

Sir Donald sailed direct for England, whether his fame had been carried long before, and in consequence, the king, upon the 19th February 1628, advanced him to the dignity of the peerage, under the title of Lord Reay, by patent to him and his heirs-male for ever, bearing the name and arms of Mackay. This title was conferred as much on account of real worth and merit as almost any in Scotland. The Scots had in many ages distinguished themselves in wars abroad; but none of them ever gained more true honour to their country than Lord Reay's regiment did, and that in the best of causes, under the kings both of Denmark and Sweden; and not only Britain but Europe rung with their praises, as the annals of several kingdoms still testify. Indeed Lord Reay deserved a higher dignity, and would have obtained it, but for

some unhappy circumstances into which his zeal for King Charles had unwittingly led him. The earldom of Orkney, of which the king gave him a promise, lay open to him, but these circumstances prevented his possessing it, as will afterwards appear. The legal reversion of that earldom had been annexed to the crown by act of Parliament, 29th October 1612, in consequence of the acts of high treason with which Earl Patrick had been charged, and for which he was afterwards executed. But no man can govern his fate by might, or courage, or policy, or all of them: and of the last, Lord Reay was of all other qualities most deficient; for in so far as any of those ingredients which constitute the politician were conveyed to him through the Gordon blood, as often as he made any use of them, his hits were beside the mark.

During Lord Reay's stay in Britain, the remains of his regiment had hot work on various occasions, in consequence of which he found them on his return reduced to four hundred men. The enemy having endeavoured to force his way to Denmark by the town of Stralsund the regiment was ordered there under command of Lieutenant-Colonel Seaton, upon his return from Holland.

"The 28th day of May 1628," says Munro, "not without danger, both by water and from land, we entered the town of Stralsund, the imperial army lying before it, having their batteries near the water. They shot our mast, having grounded before our incoming, we ran the hazard both of drowning and killing: but being again without hurt come off, our comrades, wearied of watching, immediately after our entry we relieved the watch at Frankendor, being the only post in the town most pursued by the enemy."

For the space of six weeks the duty in defending the town was very hard and unremitting, and the inhabitants were surly and inhospitable. Major Munro and his company had lain four nights in the streets, which irritated the men so much, that some of them went to the burgomaster, and told him they would lodge with himself unless he provided quarters for them. He complained to the governor, Colonel Holk, a Dane, who ordered the company to be tried by a court-martial for mutiny.

The sentence was that three of the company should be hanged, and they to be taken by ballot The lots fell upon two Scotsman and one Dane: but it having been subsequently agreed by the officers that only one of the three should sufferdeath, they again drew lots, and "it fell on the Dane to be hanged: the governor himself being a Dane also, he could not for his credit frustrate justice, seeing before he was so earnest to see our nation punished for a fault whereof he was rather guilty himself, not having appointed them quarters as he ought: so that one Dane suffered for another Dane's fault."*

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* Says Munro, "When cannons are roaring, and bullets are flying,
If one would have honour, he must not fear dying.

"Many rose here in the morning, went not to bed at night, and many supped at night, sought no breakfast next morning. Many a burgher in this city coming forth in his holiday's clothes to take the air, went never home again till he was carried quick or dead. Some had their heads severed from their bodies by the cannon, as happened to one lieutenant and thirteen soldiers, that had their fourteen heads shot from them by one cannon ball. Who doubts of this, he may go and see the relics of their brains to this day sticking on the walls, under the port of Frankendor in Stralsund.

"To make my lieutenant-colonel laugh I told him a story of a predictive dream, and a true, that was seen by a soldier of the colonel's company, that morning before the enemy did storm. One Murdoch Macleod, born in Assint, of a tall stature, and valiant courage, awaked by the break of day, and jogging two of his comrades lying by him, who finding fault with him for stirring them, he replied, You shall before long be otherwise stirred. A soldier, called Allan Tough, a Lochaber-man, asked him what he had seen? He answered him, You shall never see your country again. The other asked him again, whom he had seen that would be killed besides him? He mentioned sundry of his comrades by name that should be killed. The other asked what should become of himself? He answered he should be killed with the rest. In effect he described the whole officers by their clothes that should be hurt. A pretty quick boy asked him, what would become of the major, meaning me? He answered he should be shot, but not deadly; and that the boy should be next unto me when I was hurt, as he was."

"Here I did observe, that in this city, and at this time, were many of the burghers, soldiers, strangers, officers, women, and children, who were tormented by the fear of death, and of their means, whose fear was generally so great, that they were bereft both of wisdom and courage, as people given over; so that their fear in some sort did frustrate their lawful defences. The like I did never see, neither wish to see again; for the enemy could not, though victorious, put them in a worse habit, nor make them seem more miserable than I did see them at this time, making themselves unfit to resist their enemies; and they were all of them in mine eyes like the sword fish, having weapons, but

The siege having been pressed by Marshall Arnheim till the 26th June, Walenstine, Duke of Friedland, then arrived, and was much displeased that the town had not been taken. He said that he should take it in the course of three days, though it were hanging in the air in iron chains. After viewing the works, finding that the post guarded by Mackay's regiment was the weakest, and but slightly defended by a dry moat, he resolved to storm it in the night time; and accordingly between ten and eleven o'clock, the enemy advanced "above 1000 strong, with a shout of *Sa, sa, sa, sa, sa, sa!*" The post was commanded by Major Munro, while Lieutenant-Colonel Seton was vigilantly employed within the town, giving orders as occasions required. The assailants having been repulsed after a most severe service for an hour and a half, they were succeeded by an equal number, and these by others progressively until next day. "So the day clearing," says Munro, "the enemy was forced to retire, having lost above a thousand men, and we near two hundred, besides those that were hurt. He that was on this night's service from beginning to ending, might avouch he did escape danger. The enemy forsaking our works unconquered, the graff filled with their dead bodies equal to the banks; the works ruined, in the day-time could not be repaired, which caused the next night's watch to be more dangerous." So eager, on the one hand, was

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they wanted hearts; they had quaking hands without use; and, in a word, if the enemy had seen them, as I did, he would rather pity them as cowards, than kill them like gallants.

"Notwithstanding of this fear which possessed the burghers, and those soldiers that had not been engaged on that occasion, yet our nation, that are ever most courageous in greatest extremity, failed nothing of their wonted valour; but having retired to the Ravelin, maintained it courageously, repelling the enemy's valour, with resolution built on virtue, and love of credit: so that they made the enemy with great loss to be frustrate of his hoped-for victory. Finding the valour of the Scots tempered with constant resolution and vigorous spirits, his fury was made to settle by little and little, till at last resolution, the strong armour of the discreet soldier, prevailed against all the shuffles and cries of the enemy, and the defender seeing the storm past, and the tempest cease, he laughs and smiles with as much honour, quiet, and safety, as before he suffered toil, grief, and injury."

Walenstine to prevail, that it was said, when his wounded officers retired, he ordered them to be shot, branding them as cowards for leaving their places as long as they could stand; and, on the other hand, so resolute was the defence, that such as were unhurt when a fresh relief arrived, continued while their strength served to assist their fellow soldiers. Munro himself was wounded severely during the second attack.

On the following night the enemy assaulted no less furiously, and was repulsed with similar bravery as before; upon which Walenstine sent a trumpeter to know if Seton would treat with him upon terms. The latter was glad at the proposal, because the interim which was necessary to conclude the treaty, secured to him a cessation of hostilities, and enabled him to have the king's mind on the important subject. A fortnight was agreed on to finish the business; articles were drawn up, and about to have been signed, when Lord Spynie arrived with his regiment, and an order from the king to dissolve the treaty. Soon thereafter, by a compromise between the kings of Denmark and Sweden, the defence of Stralsund was consigned to the latter, who sent thither Sir Alexander Leslie, "an expert and valorous Scots commander," says Munro "as governor with some Swedish forces."

Leslie had no sooner taken the command, than he resolved to attack the besiegers, and drive them from their works. For this purpose he employed Spynie's regiment, as their first service; and appointed Captain Mackenzie, Lord Reay's brother-in-law, to secure their retreat, with the remaining few of his regiment, Seton having been absent at this time. They fell upon the enemy's works, forced them to retire, and drove them to the main body of their army. But, overpowered by numbers, they, in their turn, were obliged to retire with some loss, and amongst others, that of Sir John Hume of Ayton, who, having been wounded, was taken prisoner, and afterwards died of his wounds; and "the valorous Captain Macdonald, who in bravery succeeded his worthy ancestors," says Munro. After having slain five of the enemy with his broad-sword, he himself was killed. While Spynie's regiment were retir-

ing Captain Mackenzie advanced "with the old Scottish blades" of Mackay's regiment, keeping off the enemy, and then retired gradually, still facing them, till all had arrived within their own works; but their loss was considerable; one of the companies, led by Lumsdane formerly mentioned, in absence of its officers, who were all under cure of their wounds, had thirty killed.

Immediately after the King of Denmark had resigned the protection of Stralsund to Sweden, he went with some forces of cavalry and infantry to Wolgast in Pomerania, with intention to secure that province. On his arrival at Wolgast, he recalled from Stralsund the residue of Mackay's regiment, then only 400 strong, they having lost about 500 men, besides several officers, in course of the last seven weeks. They were instantly ordered on service together with Spynie's regiment, which had also been recalled from Stralsund, after having been much thinned.*

The king was so hard pressed by the imperialists in Pomerania, that he lost the greater part of his army, without coming to any regular battle. He was forced to retire in haste to Wolgast; and finding himself in danger of being taken prisoner, he put all the Scottish troops under command of Captain Mackenzie, ordering him to skirmish with the enemy till he, the king, had passed the bridge, and then to retire himself, and set the bridge on fire; "Which the captain did orderly obey," says Munro, "doing his Majesty the best service that was done him the whole time of his wars."† The king immediately embarked with the remainder of his forces for Denmark, where he was met by Lord

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* "In defence of the town of Stralsund," says Munro, "our regiment did lose near 500 men, and of the remnant escaped, both of officers and soldiers, I do not think one hundred were free of wounds, received honourably in defence of the good cause."

† "That young cavalier, Captain Mackenzie," says he, "did here a generous act for the safety of a king, which ought to be recorded, to vindicate his honour from oblivion, whose memory merits to be rewarded, that others might imitate his noble example." He bestows other high encomiums on him. He left the service not long after, and returned to Scotland, which Munro regrets much.

Reay, who had returned with an ample supply of men in the month of July. Spynie's regiment was reduced, and the men, together with such of the officers as chose to continue in the service, were draughted into Mackay's, which had now become strong, consisting of 1400 men, exclusive of the officers. After they were mustered, and all matters had been arranged they were sent to winter quarters, some to garrisons in Denmark, and the rest to Holstein.

In spring 1629, the king raised a new army, resolving either to free Holstein and Jutland from the power of the emperor, or to obtain a peace on honourable terms. He issued orders to Mackay's regiment to concentrate at Angle in Holstein, where they remained till August, when peace was concluded between the king and the emperor; upon which they were liberally paid, and honourably discharged; and orders were given to provide shipping to convey them home to Scotland, and, in the interim, to furnish them with free quarters at Elsinore.

When the preliminaries of peace were agreed on, Lord Reay, who had returned to Britain, empowered Munro to offer his service to Gustavus Adolphus, King of Sweden, who had undertaken the defence of the protestant cause when all seemed to be lost. This offer was readily accepted of; and in consequence, in place of returning to Scotland, six companies of the regiment were sent to Brownsberg in Prussia, and the other six Lord Reay himself sent to Sweden in November 1629. He had arrived in Denmark in October, and remained there till February following; when he went to Sweden to wait on the king, whom he found to be highly satisfied with the appearance and discipline of his regiment.

Gustavus soon after embarked his army, consisting of about 12,000 foot, and 3000 horse, and landed in the Isle of Rugen. Having upon his landing put up a fervent prayer for success to his arms, and rested two days, he marched three miles into the country, where he saw several bodies of the enemy, but they all fled from him. He took in many small forts which were strongly built, but weakly defended; and within the space of twelve days he cleared the isles of Usedom and Wollin. Ar-

riving at Stetin, the seat of the Duke of Pomerania, he sent a trumpeter to demand entrance; and in the meantime all the ladies from the leads and windows were viewing his army. The duke returned answer, that he meant to stand neuter: but the king being dissatisfied, told him he had come to Germany to relieve the oppressed princes, and that therefore, if admittance was denied him he should force it. The duke then issued out of the port, and, in a personal interview with the king, earnestly requested to be allowed to retain the command of his own city, without taking part with either party The king, however, was inflexible, and looking up to the ladies, said, *Cousin, if you mean to prevent my entrance, you must set other forces than these to guard your city.* The duke having got permission to return, and the drawbridge being let down for him, Lord Reay on the head of his men, sprung upon it along with him, and rushing in at the gate, they were followed by the king and his army: so that the city was taken without any bloodshed.*

The king appointed a solemn fast to be kept throughout his army at Stetin, which the enemy taking advantage of, fell upon his out-posts; but an alarm having been given, they were soon repulsed. Tilly, soon after, bribed two soldiers to kill the king, but the treason being discovered, one of them made his escape, and the other was executed. The king then marched to Grippenhagan, where having gone to examine a pass, attended only by twenty-four horse, he was soon beset by sixty horse of the enemy, but defended himself with singular valour, till some of his troops, on hearing the report of the pistols, hastened to his relief. "Before he began his battery," says Clarke, "he ordered another fast to be kept in his camp; and the Lord was pleased to give him success answerable to his desires; yea, which is admirable, in eight days space he took in many cities, defeated many enemies, got many prisoners, so that he wholly cleared Pomerania and Markland; he was very sparing

* Clarke's Life of Gustavus Adolphus, printed in 1650. He had his information chiefly from the Swedish Intelligencer. He terms Lord Reay "a brave Scotchman."

of blood, putting few to the sword, even in those towns and castles that he took by storm."

At his setting out for Germany, the king had sent Munro, now lieutenant-colonel, to Prussia, to bring up the other six companies of Mackay's regiment to Pomerania. He embarked them in two vessels, three companies in each, putting the horses and baggage on board a smaller vessel, and set sail, intending for Wolgast. On the third day they were overtaken by a storm, which separated Munro's ship from the others; and she having sprung a leak, the shipmen put in to Bornholm, to have it stopped. They had not proceeded far, however, till another storm overtook them, and the vessel became so leaky, that incessant pumping could scarce keep her afloat. They endeavoured to make for Dantzic; but sailing in the night time too near the land, the ship grounded; and being old and crazy, and the sea running high, the keel and under planks broke in the midships: all hands came on deck; and as the waves were running mast-high, they had to lash themselves to the ship's sides, to prevent their being washed overboard, and to continue in that pitiable posture till next day. Munro then forced the sailors, assisted by the most skilful of his soldiers, to cut the masts; with which, together with the yards, deck-planks, and ropes, after much labour, they made a raft, by means of which, and a boat brought from a little distance by those who had first landed, they all escaped safe on shore.*

But their distress or danger was not yet all over. They wanted their baggage—their ammunition was destroyed—they were near the enemy,

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* "Here I did remark as wonderful," says Munro, "that in the very moment when our ship did break on ground, there was a serjeant's wife on board, who, without any help, was delivered of a boy, which all the time of the tempest she carefully did preserve; and being come ashore the next day, she marched near four miles with her child in her arms; and he was baptised the next Sunday afternoon, being the day of our thanksgiving for our deliverance, by our preacher, Mr Murdoch Mackenzie, a worthy and religious young man." He was afterwards minister of Suddie in Rosshire; and was one of the General Assembly's commission in each of the years 1643, 1644, and 1649. Assembly 1644 appointed him, together with Mr William Falconer, and Alexander Brodie of Brodie, to visit Ross, Sutherland, Caithness, Orkney, and Zetland.—*Vide Acts of Assembly.*

and above twenty Dutch miles from the king's army, and their only arms were swords and pikes. Some of the boors having told them that a considerable party of the imperialists lay in the vicinity, they kept close, allowing none to pass from them for fear of being discovered.

The town and castle of Rugenwald, belonging to the Duke of Pomerania, lay eight miles distant. A party of the enemy lodged in the town, but had not succeeded in taking the castle. Munro sent one of his officers and a guide, to the captain of the castle, to say, that if he would furnish them with muskets and ammunition, they should expel the enemy from the town, and secure both it and the castle for the king, until they were relieved. This was readily acceded to; and the captain having forwarded the necessary supplies, under the charge of a confidential person, he retired himself to the country, to prevent the enemy's suspicion. Munro having thus got possession of the castle, after a short encounter, the enemy surrendered, upon which the keys of the town and castle were delivered to Munro. His next care was how to secure both from the imperialists, a strong body of whom, he was informed, lay at Colberg, six miles off. Finding that a river, two miles from the castle, was passable only by a bridge, he caused demolish it; and at the same time dispatched a company of armed boors to watch the enemy's motions, to resist them if they attempted to cross the river, and to advertise him, providing they stood in need of assistance.

During the night, Munro sent a boor on horseback to the king, who was then at Stetin, with an account of his proceedings, and requesting his orders for regulating his after conduct. The king returned him an answer, signifying that he should remain where he was, till farther orders; do his best to fortify the passes between him and the enemy; keep a good watch, and strict discipline, and not suffer his men to do any injury to the inhabitants either of town or country, but to use every endeavour to cultivate their friendship. Accordingly Munro set about fortifying the passes, by the labour of the boors; and, at the same time, to make sconces and redoubts without the town—repair the works about the castle, and to clean out the moat so as to deepen the water. By

sending parties of dragoons across the country, he brought the adjacent places under contribution to the king; and he secured large quantities of corn at Stolpen and Rugenwald, which had been stored by the enemy.

Whilst Munro was thus engaged, another ship which had sailed at the same time with him, having on board Colonel Fretz Ross, and four hundred Dutch soldiers, and had been sore beaten by the same storms, was forced to anchor on that coast for want of provisions. Ross sent Lieutenant-Colonel Tisme Howsne ashore to Munro for a supply, which was immediately granted. He then landed, and having gone to Munro, asked him if he thought it advisable that he should land his men there. Munro said he could give him no advice in the matter, only he thought that as he was under no necessity to stop there, he should rather proceed to where his orders directed him. Ross notwithstanding, landed his men, and not only lodged them in the town, but claimed the chief command as a superior officer; which, however, Munro would by no means grant him, without an order from the king to that effect, by whose authority he held the command for the time. This occasioned some variance between them; but Munro having transmitted to his Majesty a full account of matters, Colonel Ross was blamed, and new powers were granted to Munro, to govern the castle and town at his pleasure; which he accordingly did for nine weeks; in course of which he had sundry conflict and skirmishes with the enemy, until (by order of the rex-chancellor,) Sir John Hepburn came with his regiment from Prussia, in whose favour Munro resigned his charge.

Sir John Hepburn ordered Munro to march with his men to Colberg, which Major-General Kniphausen was engaged in blockading. The general having received intelligence that the imperialists intended to relieve Colberg, and being aware that they must march by the town and castle of Scheivelbein in the new Marck, he ordered Hepburn to view this place of Schievelbein. Having done so, and advised to plant it with a garrison, the general ordered Munro to march thither; the order was given in writing, and bearing that Munro was not to yield, if attacked

by the enemy, but to fight to the last man; and if he was beat from the town, to betake himself to the castle. The town had recently been much depopulated by contagion, many were sick at the time, and such as were able, had for most part fled. Munro, upon viewing the place, felt indignant at being ordered so arbitrarily to defend, what he terms "a scurvy hole for any honest cavalier to maintain his credit by, and which could not hold out twenty-four hours, being pursued by an army." But in this extremity Scottish courage did not forsake him or his brave men. He ordered the neighbouring boors to furnish spades, hatchets, and other implements to repair the works; and the enemy having delayed his coming for three days, all hands wrought day and night to make the best preparation that circumstances could admit of.

On the afternoon of the fourth day, they perceived the enemy advancing in squadrons of horse and foot, apparently not less than eight thousand strong, with a proportional supply of artillery. Munro ordered to salute them with two small shots, by which a rutmaster and lieutenant of cavalry were killed. The imperialists drew up beyond the reach of Munro's cannon, and sent a trumpeter summoning him to surrender on terms. His answer was, that he would not surrender, but he had powder and shot at their service. The enemy then sent a hundred and fifty musketeers towards the principal town-port, and a proportional number to the other ports, of whom there were killed above thirty soldiers, besides two lieutenants. Munro, however, not being able to retain the town, retired to the castle, upon which the enemy took possession of the town, and brought his whole artillery to the market-place. He then summoned the castle to surrender upon conditions, threatening that otherwise no quarter should be given: to which the former answer was repeated. The enemy immediately commenced planting their batteries, which they brought within forty paces of the castle: but night came on before they were ready for the attack. On the other side, it did not suit Munro so well to wait till next day, and therefore he betook himself to his only remedy, which was, to give the imperialists hot lodgings, by setting the town on fire. He first threw

some grenades on the houses; but these not proving effectual, he ordered a courageous and stout soldier to place a red-hot ball on the roof of the house next the castle, which soon put the town in a flame; and while the enemy was removing his cannon, and retiring in confusion, the soldiers sallied out from the castle upon them, killed eighteen soldiers and two officers, and took thirteen prisoners. The enemy, being so far repulsed, marched off to pursue his main chance, which was to relieve Colberg.

Next day Munro dispatched eighteen horsemen to find whether the king's army had come from Stetin to intercept the enemy. On their return they informed him that Field-Marshal Gustavus Horne, and Lord Reay, who commanded the musketeers, had joined General Kniphausen and Colonel Bauditzen, and lain over night in front of a passage between the enemy and Colberg.

On the following day the king's forces attacked the imperialists; but a thick fog having come on, the latter retired with some loss. Munro saw them passing about a mile from Schievelbein, and sent horsemen to cut off their retreat by destroying the bridges; but they had anticipated him, by dispatching their cavalry to secure the bridges; upon which Munro's horsemen returned in safety. The propriety of Hepburn's advice now appeared: for, by sending Munro to Schievelbein, an opportunity was afforded to Marshal Horne and Lord Reay to come up in time to Kniphausen's assistance; and another instance was exhibited of the firmness, prowess, and skill of Munro and his fellow warriors. Some of them were seized with the distemper prevalent in Schievelbein, and a few died, but not in any proportion to the inhabitants. Upon the enemy's retreat, the king sent orders to Munro to join Marshal Horne, who had gone to Griffenberg: there Munro remained until Lord Reay's departure for Scotland, when Munro was appointed commandant of the regiment during his absence. He was then ordered to go to Stetin under command of General Leslie. "The pest," he says, "raged so at Stetin, that divers brave soldiers of the regiment were buried there: nevertheless a great deal fewer of them died than either of the Dutch

or Swedes, which was seen on our march towards Brandenburg, being stronger than other regiments that at their landing were twice stronger than we: for no extremity of hunger, pestilence, or sword, could ever make one of them run away from their colours."

Clarke says, "A wonderful thing it is, that in eight months' space, betwixt July 1630 and February following, the king took in eighty cities, castles, and sconces in Pomerania, and Mecklenburgh." In all of which Lord Reay and his regiment were on service, and as usual assigned to posts of honour; but they were at length so much reduced, that a fresh levy became necessary; to obtain which, his lordship set out for Britain in February 1631.

After Munro had been sent to Prussia, to bring up the six companies of Mackay's regiment, Lord Reay and he never met again on the continent; and as the former, as has been stated, only narrates such occurrences as took place under his own eye, or in his vicinity, he has fewer notices regarding the actions in which his lordship, and that part of the regiment which was more immediately under his command, were engaged, than otherwise he would have had. He mentions, that at Colnoe, on his march to Stetin, he had spoken with the king, who told him that he had commissioned Lord Reay to raise new levies, not only to make up his own, but also to form two new regiments, one English, to be commanded by Sir Thomas Conway, and the other Scots, under Munro's brother, John of Obistell. All these levies Lord Reay accordingly sent over to Germany; but most unfortunately, Sir Thomas Conway, together with his lieutenant-colonel and three companies of his regiment, were drowned on their passage, on the coast of Denmark. But it now, however, becomes necessary, for a time, to leave foreign affairs, and to treat of some of a domestic nature in which Lord Reay got involved, greatly to his prejudice, though not to his dishonour.

CHAPTER X.

At this time complaints were many and loud, both in England and Scotland, on account of the high hand with which public affairs were carried by means of the churchmen, who, to aggrandise themselves, flattered young Charles, and encouraged him to use all methods to cultivate the tree of absolute monarchy which his father had planted. The domineering and infamous Laud, then bishop of London, and afterwards archbishop of Canterbury, was prime leader of the churchmen, and adviser of the king. The Scots bishops were universally a set of unprincipled sycophants, and overbearing despots, who not only abetted, but contrived measures to enslave their country, and destroy its liberties. Matters in both church and state were either directly or indirectly much under the influence and control of these corrupted clergy; and whilst Britain was laudably aiding in the support of protestantism and liberty abroad, they were in imminent danger to be drawn into popery and slavery at home. The patriots of both kingdoms saw and felt the evils, but knew not how to apply any suitable remedy. They could not well blame the king for continuing that system of government, pernicious as it was, which, by their own connivance, had been laid and so far advanced during his father's reign; but should rather reprehend themselves and their predecessors, (particularly in so far as regards Scotland) who, after the remarkable manner in which they had been emancipated from clerical power and slavery at the reformation, had permitted exuberances to obtain in the church, which the experience of all ages should have taught them were destructive to the spiritual and temporal interests of mankind. The origin of this evil was, that the nobles and barons did not join shoulders with those zealous, enlightened, honest, and firm clergymen, who had so orderly, valiantly, and perse-

veringly resisted the re-entry of those church dignitaries; but, on the contrary, aided and countenanced their being unjustly loaded with reproach and obloquy, and consigned to deprivation, imprisonment, and exile. Had those worthies been supported, James never could have carried his arbitrary schemes into effect, nor left to his son the drudgery of promoting them, until it led him, unhappily, to the block.

In the year 1630, the Marquis of Hamilton had set about raising men for the service of the King of Sweden. The marquis and Lord Reay were in close habits of friendship and intimacy, and both were much in favour with King Charles, and more especially the former, than whom none stood higher with him. He had been employed to levy 6000 men in England, whom he was to conduct to Germany. Hume, referring to Rushworth, states, that Charles himself had agreed to furnish the men to the King of Sweden; but as he wished not to appear, he made use of Hamilton's name; and indeed the sequel seems to countenance this, for the latter never led the men to the field, nor appeared in any other character than that of a royal agent.*

Lord Reay was waited upon, on the continent, by David Ramsay, a native of Fife, whom Gilbert Gordon, the continuator of Sir Robert's history, terms "a man of a daring and insolent spirit, and a great favourite with the Marquis of Hamilton." As Ramsay had lately come from Britain, Lord Reay, in course of their conversation, asked him, what was the news from court? Ramsay answered, that there were many abuses at court, and that nothing was to be expected but confusion and change of religion, on which account he had retired from it, as no honest man could live there; and then entered into a detail of those abuses, and their apparent consequences. Reay said, that they should pray to God to rectify these evils; but that at present, the only remedy was patience. Ramsay replied, that before three years were

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* "The arrival of 6000 men under the Marquis of Hamilton requires the more particular notice, because their arrival is all which history records of the exploits of the English during the war."—*Schiller's 30 years War.* Vol. 2. P. 256.

expired, God would raise up some good man to defend his church, and liberate honest men from slavery. Reay then enquired if the Marquis of Hamilton was ready to come over to Germany;—and what was his religion? Ramsay said, he would soon be in Germany; and that he was a staunch protestant;—that within a short time he would let the world see his purpose was to defend his religion, and secure the liberties of his country; that he should have such a powerful and well furnished army as would enable him to encounter with any who might oppose him; that, as there were many persons in Scotland of considerable power, who were honest and well affected to the liberties of their country, what would his lordship think, if these were joined by an army bred to the wars in Germany; adding, that within a short period, Scotland would be all in a tumult; and that although something particular was in contemplation, he (Ramsay) could not be more explicit, with regard to the secrets entrusted to him by the marquis, though he was aware of his lordship's love and affection towards him.

Two days thereafter, Ramsay told Lord Reay that he was setting out for Britain; and begged of him to command his services, to which he should attend cheerfully and faithfully. Reay requested him to entreat the marquis to intercede with his Majesty for the reversion of the earldom of Orkney and Zetland, which he had promised him. Ramsay having pledged himself to do so, asked his Lordship if there were good harbours in Orkney, and in his own country, which might be fortified. Being answered in the affirmative, he said, that was to be thought of, and he would pause on it for a night, as it was much for the interest of the marquis to have a friend in Orkney.

Next morning Ramsay, and Alexander Hamilton, brother of the Earl of Haddington, and who afterwards commanded a regiment of Scots in Germany, called on Lord Reay, and proposed that he should send a letter in general terms to the marquis, as they both were to embark for England, but to refer the matter concerning Orkney to them,

in case the letter might miscarry, and get into other hands, assuring him, at the same time, that they should do their utmost to promote his interest. His lordship accordingly wrote the letter and delivered it to Hamilton.

Several months after this, Ramsay fell in with Lord Reay at Amsterdam, and delivered him a letter from the marquis, stuffed with thanks and professions of friendship. Ramsay then told him, that all matters succeeded well with the marquis, who had received money from the king with regard to his expedition, which was retarded only by a want of arms and ammunition; and he earnestly requested Reay to use his influence with the Swedish ambassador at Amsterdam, to procure a supply of these from the King of Sweden, who expected the marquis, and to whose aid he was coming. Lord Reay speedily set about procuring the arms and ammunition. Some time thereafter Ramsay told Lord Reay that the marquis had written him to say, that if the arms and other necessaries were obtained, they should be sent to England, and not to Scotland, as was previously proposed; and he added, that he was much surprised at the marquis having altered his mind, considering that all similar necessaries had been sent to Scotland; and that the marquis himself had sent one over sea to receive these necessaries, as he (Lord Reay) had directed. Reay replied, that the letter he had received from the marquis, mentioned that the arms should be sent to England; upon which the other observed, that though the arms were received, he would not have them forwarded till the marquis sent him further orders.

Their next meeting happened to be at Delft, when Lord Reay informed Ramsay, that he had a letter from the King of Sweden to the King of Britain, requesting ships to transport the marquis and his army to Germany. Ramsay said, that both the marquis and his lordship should guard against the consequences of such a measure; because the English, in there present confusion, would be jealous that their ships might be employed against themselves. Reay said, Where should the forces meet? *Ramsay*, On the sea. *Reay*, Where should they land?

Ramsay, At some place belonging to the King of Denmark, which they would plunder, as they considered him to be the only one who would most oppose them. *Reay,* Was the marquis to raise any men in England? *Ramsay,* Only one regiment. *Reay,* Would those English be trusty to the marquis? *Ramsay,* The marquis could depend upon the English as much as upon any Scotch. *Reay,* Which was the best place for their meeting? *Ramsay,* At Harwich or Yarmouth. *Reay,* Were these places fortified? *Ramsay,* No harbour on that coast, or in Britain, could prevent their landing; England had made peace with Spain, very prejudicial to Holland; Spain and France were each of them striving which should first conquer England; but he hoped they should prevent them both; they were much in want of gunpowder, but as for arms, they were tolerably furnished already, and the deficiency could be supplied wherever they came; and the marquis had written him, that he was possessed of ninety pieces of cannon of various dimensions.

To put an end to this mystical and treasonable-like intercourse, or to bring Ramsay to an explanation, Lord Reay said, that as for himself, he was no soldier of fortune, but had competent means of his own at home to subsist upon, without having any dependance on the chances of war, and that he was ready to adventure both his fortune and his life with the marquis in a good cause; but he must be excused for wishing farther information, before he would consent to embark in the business. Ramsay rejoined, that he was not at liberty to divulge any more of his constituent's secrets; but that as his lordship was on the eve of sailing for Britain, he would send a letter by him to the marquis, who, he had no doubt, would explain all matters to him. He at the same time requested his lordship not to disclose what passed between them, that the Marquis himself might have all the credit of dealing with him; adding, that his lordship's brother-in-law, the Earl of Seaforth, in whom the marquis had much confidence, knew all matters: for, though the marquis was very close-minded, he would unbosom himself to such as he knew would hazard their fortunes with him. Lord Reay enquired if any step had been taken in his affair regarding Orkney. Ramsay said

no; because he could himself get it done to better purpose, after his arrival in England, and probably to greater advantage than by payment of the present rents and other duties.

Lord Reay now found himself placed in circumstances disagreeable, delicate, and dangerous. He was loyal and true to his king, it may be said even to excess, as will appear, not only in this, but more particularly in his after conduct. He was on the best terms with the marquis of Hamilton, and through whose interest he had a fair prospect of obtaining the earldom of Orkney and Zetland, which the king had promised him, and it was therefore very remote from his wish to injure the Marquis. Ramsay's speeches, however, though they were guarded and enigmatical, seemed to import treason, and appeared as intended to influence Lord Reay to join with the marquis in taking arms against his king, especially as the family of Hamilton had long had an eye to the crown. Whether the old prophecy continued to buoy up their hopes, it must be left to conjecture.*

Aware that misprision, or concealment of treason, involved himself in the crime as a principal, Lord Reay, on his arrival in England, found himself imperiously called upon to divulge the matter, but was at a loss as to whom he should do so in the first instance. He had formerly been in habits of intimacy with Lord Ochiltree, son of the Earl of Arran, the unhappy favourite of the late king; and having fallen in with him in London, he communicated the whole to him in confidence, wishing to have his opinion, who possessed considerable abilities, and was much better acquainted than himself, with the public mind and court measures. Ochiltree immediately, without the knowledge of Lord Reay,

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* O wretched Scot, when Kedzow turns thy king,
Then may thou doole and dolour dailie sing;
For from the South great sorrow sall he bring:
Therefor o'er Scot ryght short sall be his reigne.

James Hamilton of Cadzow, ancestor of the marquis, married Mary, only daughter of King James II. Some say, while her first husband, Thomas Boyd, Earl of Arran, was alive; but others say, not till after he was beheaded.

revealed the whole to the lord treasurer, who instantly informed the king; in consequence of which the court was all in an uproar. Ochiltree having been called before the king and council, he declared, not only all that Reay had told him, but several other matters seemingly connected therewith, tending to implicate a number of the Scots nobility and others, as apparently concerned in the plot, along with the Marquis of Hamilton. Lord Reay was then called and examined, when he frankly related all that had passed between him and Ramsay, and also between him and Alexander Hamilton, formerly mentioned, Sir James Hamilton, son of the Earl of Haddington, and a Robert Meldrum, all of whom had addressed themselves to him in the character of agents for the Marquis. Reay and Ochiltree were confined to their lodgings—the Marquis made a show of requesting that he should be committed to the tower, until the matter was tried—an express was dispatched to Holland for Ramsay; and in the meantime a committee of the council was appointed to investigate the business. As Lord Reay had brought no direct charge against the marquis, the latter was soon acquitted; and upon Ramsay's arrival, having consigned him to the protection of his friends at court, he proceeded with his large levy to Germany.

Lord Reay was confronted respectively with Ramsay, both the Hamiltons, and Meldrum. The former affirmed, without any variation, all that he had hitherto stated, but the others denied the whole. Ramsay was committed to his lodging, and Meldrum to the fleet. By a court manœuvre, in order to avoid having the case tried at common law, Ramsay was advised to challenge Lord Reay. He readily accepted the challenge, as was anticipated, upon which the matter was transferred to the marischal court at Westminster, where it depended for more than twelve months. Lord Reay and Ramsay were confined in the tower, until they found security that they should determine the question by single combat, on a certain day appointed by the court. All ended, however, as had all along been determined, in a mere bubble; for, when the day drew near, the king, by an arbitrary act of his own, put a stop to the proceedings, and pardoned them both, with a rebuke to Ramsay for his

intemperate speeches. He had, when examined by the marischal and constable, confessed in substance all that Lord Reay had asserted; but he was afterwards countenanced at court, and then sent over to Germany with a colonel's commission under the marquis.

Lord Reay had also, in the king's presence, charged his brother-in-law, Colin, Earl of Seaforth, with having revealed to him several matters to the same effect, regarding plans contemplated by the marquis; which Seaforth having denied, a challenge was the consequence, but the death of the latter soon after, terminated that dispute.*

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* "Never was a business of that nature so favourably handled and passed over in England; for whereas by the laws of that kingdom, one witness is enough for the king, and chiefly in matters of treason, and the delinquent is to be tried by the common law; yet this particular was taken from the common law, to be tried by the marischal law of England." "The Lord Reay having taken his leave of the king, returned home to Strathnavér; his master the king of Sweden being dead by this time. David Ramsay remained still at the court in England. This business did cost the Lord Reay much of his means, besides the loss of his place and employment in Germany, and the perpetual hatred of the house of Hamilton, and all their friends and dependers."—*Continuation of the Earldom of Sutherland.*

"The king, either out of his great favour for James, Marquis of Hamilton, or to avoid appearing himself in the king of Sweden's behalf, before he made terms with the king of Bohemia for the recovery of the palatinate, had given him leave to make convention with Gustavus about a body of 6000 or 8000 Scots, which he was to transport to Germany for his service. The marquis being, after the house of Stuart, the next heir of the crown of Scotland, was suspected of having some views towards it, and of designing to engage the officers who served under him in this expedition, to support him in his pretensions, whenever he should think to advance them, upon the prospect of any troubles breaking out in England. Donald Mackay, Lord Reay, colonel of a Scots regiment, got out of David Ramsay, a turbulent mortal, as Major Borthwick did out of Meldrum, two confidents of the marquis, that the Swedish service was only a colour for raising forces, whilst his real view was to make himself king of Scotland. Borthwick accused Meldrum before the king and council, of having communicated to him this design, which the other faintly denied, and was committed to the fleet: But when Reay brought the same accusation against Ramsay, this last, as there was no witnesses on either side, challenged him to the combat, which Reay accepted, the treasonable words being spoken abroad, and trial by combat, on an appeal of treason, being still allowed by the law, though not used for many ages. The Earl of Lindsay was created Lord Constable of England for this purpose; such trial being to be determined by the court of the constable and marischal. But the king hav-

There are the strongest reasons to believe that Lord Reay was ignorant of the true state of matters, and that otherwise he would either have lent them his aid, or been altogether silent. He was all along under an impression that Hamilton's schemes were laid in order to advance himself at the king's expense. This impression the court partly encouraged and allowed to become general, as a blind to cover the real designs they had in view, and which was the more readily received, that the house of Hamilton had, since the death of King James V. been always suspected of having an eye to the crown, which created such a degree of jealousy of them, that, with the exception of the short regency of Arran, in Mary's minority, though they always kept up a strong party in the nation, they never were allowed the precedence in public matters, until this marquis obtained it by court influence and intrigue, contrary to the desire of the wisest and best patriots in both kingdoms, which terminated in his losing his head, about ten months before his master Charles lost his.

There seems to be no ground to conclude that Hamilton had any eye to the crown at this time; and therefore the reasons of his conduct must be otherwise sought for. Charles, supported and led as he was, by his bishops and other creatures, together with French counsels, obstinately pursued the tract which his father had lined out, and had so far proceeded in, resolving to *chastise those with scorpions,* whom his father *chastised with whips.* He and his parliaments always disagreed; and as they, especially the commons, would not comply with his measures, he uniformly dissolved them, which at length occasioned the civil war betwixt them, and led England for a time from tyrrany to anarchy. There are many reasons for believing that Hamilton's design was to support the king in pursuing his favourite schemes to the utmost; and that

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ing an entire confidence in the marquis, put an end to the duel."—*Carte's History of England,* Vol. 4. P. 212.

"The marquis was accused by Lord Reay, not without some appearance of probability of conspiring against the king."—*Hume's History of England.*

Charles was privy to and approved of it, if it did not originate with him and his advisers. It bore an appearance of plausibility, that the marquis, having command of all or most of the Scots and English then in Germany, should return with that veteran army, and be joined by all at home who should flock to the royal standard, so as to carry all before them. Had the design taken effect, while Charles was at the same time allied to France, to whose politics and counsels he was a dupe, and while the Irish papists were at his nod, Britain had probably been irredeemably enslaved, and plunged back into popery. A zealous panegyrist of Hamilton, the loose and intemperate writer of the History of Independency, says, that the marquis "had the honour to be educated and intimate with his Majesty from his youth, who was with a most munificent hand a royal benefactor to himself and his family." And as to his religion, he grants that the marquis in his youth had "been overswayed in some star-chamber sentences." It was the general opinion, however, that he was at all times overswayed towards the king's religion, who was all along swaying towards Rome, in so far as his fetters would permit.*

The superficial and mock manner in which the question of treason was tried; Hamilton's being immediately cleared, and sent to Germany, together with his subsequent employments under and for the king; Ramsay's promotion as colonel under the marquis; and Lord Reay's detention from his regiment, together with the expense he was put to, whereby he sustained an incalculable loss; all combine to prove that the king patronised the plot; and if any farther proof was necessary, reference might be made to the commissions and countenance afterwards given to the Irish Owen O'Niel, Montrose, and others, who murdered and slaughtered so many thousands of his best subjects.

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* "A court lady," says Hume, "daughter of the Earl of Devonshire, having turned catholic, was asked by Laud the reason of her conversion. '*'Tis chiefly,*' said she, '*because I hate to travel in a crowd.*' The meaning of this expression being demanded, she replied, '*I perceive your grace and many others are making haste to Rome; and therefore, in order to prevent my being crowded, I have gone there before you.*'"

It would have been a great acquisition to the marquis, had Lord Reay joined him at that time: and had the latter been assured that the king was at the bottom of the scheme, it is not improbable, from his loyalty,—his regard for the marquis,—his prospects as to Orkney,—and his own subsequent conduct, that he would have gone into it. But He who superintends men and all their actions, and has the casting vote in all their councils, determined otherwise. Had Reay first disclosed the matter to Hamilton, or to the king, the effect, and the temptation leading him to approve, had in either case been the same. But he escaped the snare, though with loss of some feathers, through what may be deemed his own imprudence; and the development aroused the jealousy of both kingdoms, and destroyed all hopes of carrying the scheme into effect. Ochiltree, the licentious son of a worse father, who had abused and misled young King James into his extravagant and pernicious ideas of monarchy, was a most improper person to be entrusted with such a secret, or to be advised with regarding it; nor could Reay be wholly ignorant of the old and deadly feud which had subsisted between Ochiltree's family and that of Hamilton. The scheme could not, at any rate, have succeeded, because, in defiance of all enemies, the plant of liberty must thrive in Britain. It seems evident that Lord Reay was a firm protestant, from the question he put to Ramsay as to Hamilton's religion; and that popery, which had hitherto subsisted in his own country, disappeared upon his settlement at home. He had been confirmed in that persuasion during his residence in Denmark, and other places on the continent, where he saw so much of its salutary effects, and the superstition and cruelty attached to popery.

It cannot well be deemed altogether foreign to the subject of this narrative, to give some farther accounts of the achievements of Mackay's regiment, notwithstanding that Lord Reay was prevented, by the unhappy circumstances above recited, and the much-lamented death of the King of Sweden, from resuming his command. It was still Mackay's regiment, and composed much more of Mackays than of any other

name. The events are of themselves interesting; and the cause, which involved the spiritual and temporal liberties of mankind, was of the last importance.

In January 1631, the ground being covered with snow, and hard frost, Mackay's regiment accompanied Gustavus to besiege New Brandenburgh; and after a good deal of cannonading and small shot on each side, the king's foot passed through the water graff, stormed the raveline, and drove the enemy within the town walls, who thereupon beat a parley, and then surrendered on conditions of marching off with bag and baggage, foot and horse fully equipped, with a safe convoy to Heidelberg. The officers and soldiers who first entered, got gold chains and much money, the imperialists having been long stationed in that city. "Silly, simple Italians!" says Munro, "and without courage; the poorest officers that ever I looked on, and unworthy the name of soldiers; for though they knew of our march, they suffered themselves pitifully to be surprised. I think these Italians never minded that the riches which they gathered in Pomerania, should be suddenly transported from the sun unto the northern crags and cliffs of Sweden, being led by the lion of the north, the invincible King of Sweden, of never-dying memory."

General Kniphausen having joined the king's army, they were mustered, and found to amount to 15,000 effective foot and horse. They marched forward to lay siege to the town and castle of Demanin; and after two days hard fighting, with considerable loss on each side, the enemy surrendered on the same terms with those of New Brandenburgh, though, from his advantages, he might have held out for a long time, besides that Tilly, as was reported, was on his march to relieve him.

On the second day of the siege, the 18th of February, Captain Beaton of Mackay's regiment, with his company, and a company of Dutch who guarded the trenches, were attacked by a strong body of the enemy. The Dutch gave ground and retired, but Beaton and his men stood firm, and fought, until the king, under whose notice they were engaged, sent General Bannier, a Swede, and Major Potley, an Englishman, with a party of Swedes, and of Mackay's regiment to their assistance. "General

Bannier advanced," says Munro, "the enemy playing hard with cannon, notwithstanding whereof, entering the skirmish, the enemy was beaten back, not without great loss on both sides; where I cannot but commend Bannier's carriage, being in sight of his king; as his Majesty did commend our nation for their good behaviour and charity; for a captain of Bannier's regiment being left for dead on the field, his countrymen, for fear, refusing to bring him off, he was voluntarily brought off by our countrymen, to their great praise, who, after disdaining his comrades, and thanking our countrymen, he died of pain and agony before night." The king lost 300 men at this siege.

Tilly in the meantime had marched with a well-furnished army of twenty-two thousand infantry and cavalry, and twenty-six pieces of cannon, to retake Brandenburg. Previous to his coming, Kniphausen was ordered thither with his men, and six companies of "my Lord Reay's regiment." The rest of the regiment, under Munro, was with Marshal Horne at Friedland. The king having considered Brandenburg as of minor importance at that time, made a forced march with half his army to the river Oder, over which he built "a ship-bridge," and fortified it with sconces, so as to secure himself on either side of the river, as circumstances might render necessary, until Marshal Horne could join with him. Tilly, on the other part, apprehensive that the king had some plan in view, as he had not come to the relief of Brandenburg, pressed forward the siege with the greatest fury. Kniphausen did not solicit a parley, until a breach was made by the enemy, which the latter considered too late. A great carnage on both sides succeeded; quarter having been refused to some of the besieged, they resolved to sell their lives as dear as possible. The enemy lost about 2000 men. Of Mackay's regiment many were killed. Captains Gun, Beaton, and Learmonth, with some subaltern officers, were taken prisoners. Captain Innes and Lieutenant Lumsdane narrowly escaped during the carnage, by leaping into the graff, and passing through a marsh, from whence they made their way to Munro at Friedland. Captain Mon-

crieff, Lieutenant Keith, and Ensign Haddon were killed. Lieutenant-Colonel Lindsay, who was of Kniphausen's troops, also was killed.

Captain Sinclair of Mackay's regiment at this time had the charge of Treptow, with scarcely a hundred men. He was environed by a thousand of the enemy. With fifty of his men he sallied out on them, fought for a good while, until he was overpowered by numbers, and after killing several, retired back in safety with little loss. Having defended the place two days and nights, he retired secretly on the third night, having been ordered to that effect. His valour was much talked of.

Munro blames Kniphausen for declining Tilly's previous offer of a parley, which occasioned the loss of so many brave men of Mackay's regiment, and also caused those officers, Captain Gun and others, who were taken prisoners, to engage themselves after they were liberated, into other corps in the king's service, rather than be under Kniphausen's command, who, though sufficiently undaunted and brave, was uniformly unfortunate. Himself often said, "an ounce of good fortune was preferable to a pound of wit." Few could exceed him in training both officers and soldiers.

Marshal Horne having joined with the king on the Oder, the army was made up into brigades. Mackay's, Lumsden's. Starget's, and Hepburn's regiments were formed into one, called the Scots Brigade, commanded by Sir John Hepburn, in absence of Lord Reay, who was soon expected, and who was to have the command on his return. The rest of the army was disposed of and arranged in a similar manner, under the names of the blue, yellow, white brigades, &c.

On the 24th of March 1631, the king and his army, consisting of 10,000 foot and horse, (some say only 8000) marched towards Frankfort on the Oder, which was commanded by Count Schomberg. Marshal Horne, in the meantime, was directed to Pomerania and the Marck, to divert the enemy, and to prevent his intercepting the fresh troops expected from Scotland and Prussia. The king was then in suspense as to receiving aid from the Duke of Brandenburgh, his brother-in-law, or from the Duke of Saxony in which state

of uncertainty and apparent danger, he found it necessary to prosecute the siege of Frankfort with all possible celerity. The enemy from all quarters in the neighbourhood, while the king's army were advancing, made all haste to get into the town: so that their number was almost equal. When the king's forces had come within a mile of the place, the enemy, out of fear, burnt the fore-town, which the king considered as an omen of his success.

The king having entrenched in the vineyards, examined where the works were most assailable. He repulsed a strong party of the enemy, who had made a sally, and the next day being Sabbath, he ordered it to be appropriated for divine worship. The enemy persuaded themselves that the king had no thought of prosecuting the siege of a place so strong, with such a small army; and finding that all was quiet, the soldiers from the walls began to jeer the Swedes, asking if they had eaten up their leather guns, and having held up a goose on a pike, called to them to come and take it; but before the evening of the following day, they sung a very different tune.

When the cannon were planted, and all was ready for the attack, the king called, "Now my brave Scots, remember your countrymen slain at New Brandenburg!" The service went on; and while the cannon and muskets were reciprocally discharging, the king's troops, concealed by the smoke, passed the graff up to the middle in water and mud. Some proceeded to storm, and others to scale the walls. The Scots pressed upon the sally-port, at which, having driven back the enemy, they entered at their heels. The brave Hepburn, having been hit in his lame knee, was obliged to retire, and his major was killed soon after. "Whereupon," says Munro, "Colonel Lumsden and I being on the head of our colours, commanded our pikes to advance; and both having fortunately without hurt entered the port, the enemy was forced to retire in confusion: and being astonished at our entry they had neither will nor courage to let down the portcullis of the great port behind them."

"They entered the city," says Clarke, "making a pitiful slaughter,

crying, *New Brandenburgh, knock him down.* One Scotsman killed eighteen men with his own hands. The Swedes got over the walls: Schomberg valiantly opposed himself, but was quickly forced to retire. The imperialists having brought all their riches which they had gotten by plundering the whole country, into this city, were now leading it away upon mules, waggons, &c. but the Swedes saved them that labour, and the flying soldiers were stopped and wedged in with these carts, that many of them were stifled, slain, or thrust into the Oder." The imperialists lost several field officers and colonels, fifty captains and subalterns, and above 7000 of their men, besides a great number of prisoners; a hundred thousand pounds of gunpowder, eighteen pieces of great cannon, and several smaller ones, together with a great quantity of arms. There was no injury done to any of the inhabitants: and as soon as order was restored, the king caused a day of thanksgiving for the victory to be observed.*

The king having thus, beyond expectation, taken Frankfort on the Oder, and driven the imperialists to the south of that and the Elbe, those princes who had hitherto stood aloof, sent their envoys to tender their aid, which he cordially accepted of.

On the 5th of April the king proceeded to Landsberg, a place so

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* The author of the military history of Gustavus Adolphus, an Englishman, writes: "When the king was before the strong castle of Marienburgh, which was thought impregnable, the enemy defying the Swedes to do their worst: it was well provided with all things necessary, and a strong garrison in it. The castle stood on a high rock, and on the steep of the rock was a bastion, which defended the only entry up the hill into the castle. The Scots were chosen to make the attack, and the king was an eye-witness of their gallantry. I observed that most of the Scots officers who were not called upon this duty, proposed to serve as volunteers, for the honour of their country. I was determined to see this piece of service, that seemed perfectly desperate. The advantage of the hill—the precipice we were to mount—the height of the bastion,—the resolute courage and number of the garrison, who, from a complete covert, made a terrible fire on us, all joining to make the action hopeless: But the fury of the Scots was not to be abated by any difficulties. They mounted the hill, scaled the works like madmen, running upon the enemy's pikes; and after two hours desperate fight, took it by storm, and put all the

strong on one side that his cannon could make no impression on it, and the ground on the other side was covered with water. By the advice and guidance of a blacksmith, however, who led Dowbattle and Munro, with 500 spike-men, through shallow passes, they surprised the guard, and Hepburn having followed with 1000 musketeers, the sconce was surrendered; and after a hot skirmish, in which Munro lost above thirty of his men, the town also surrendered on conditions. The blacksmith was handsomely rewarded: he received two hundred ducats, and was appointed burgomaster of the town.

About this time Tilly, with an army of 20,000 horse and foot, advanced towards the king, whom he endeavoured to draw into a pitched battle; but having failed of his purpose, he retired, and laid siege to Magdeburg: "which," says Clarke, "at last he took; and like a bloody villain put to the sword 20,000 persons at least, of all ranks, ages, and sexes: that great city also he burnt down, utterly turning it into cinders, excepting 139 houses. His soldiers committed all manner of ravages all the country over: ladies, gentlewomen, and others, like beasts and dogs, they yoked and coupled together, leading them into the woods to ravish them, and such as resisted, they stripped naked, whipped them, cropped their ears, and so sent them home again."—Had the spirit of popery no influence in those cruelties and barbarities of Tilly; or that of protestantism none in the clemency of Gustavus?

From April till August both sides were chiefly engaged in making the best preparations for some formidable encounter; while in the interim, some skirmishes took place; and the king, as he advanced, became master of sundry towns and strengths. The Dukes of Brandenburg and Saxony, unwilling to come to an open rupture with the emperor, as they doubted of the king's ability to defend them, or even to maintain his own ground, refused to ratify their former treaty. The king at the same time waited anxiously for the expected supplies from Scot-

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garrison to the sword. The king received us as we drew off at the bottom of the hill, calling the soldiers his brave Scots, and commending the officers by name."

land; and until these arrived, he secured his troops to the best advantage in those fastnesses he had in possession on the Oder and Elbe, and also at Werben, which was situated at the conflux of the Havel and Elbe, having an open country behind him for the regular and plentiful supply of all necessaries.

In the month of July the Marquis of Hamilton arrived with 6000 men, and soon after, Lieutenant Colonel John Munro of Obistell came with the supply of men sent by Lord Reay, who himself expected shortly to follow: but to his great disappointment and loss he was prevented, by the unhappy occurrences before recited. Hamilton's men suffered severely by an epidemical distemper, "of which there died," says Munro, "above 200 a-week;" but their coming was notwithstanding of much advantage to the king's measures, having arrived at a seasonable juncture, by which the enemy's courage was much abated, and his plans were so much disconcerted that he was obliged to divide his forces, and send a great part of them for the defence of Silesia; and this was preparative to the king's junction with the Duke of Saxony, and to his farther progress and victories.

The landgrave of Hesse, the Duke of Weimar, and most part of the towns in the upper circles of the empire, tendered their assistance to the king; but before that could be obtained, he was apprised that Tilly was on his march with 26,000 horse and foot, to attack him at Werben where he was strongly fortified. The king having understood that the enemy's advance troops, which consisted of four regiments of his best cavalry, had come as near as Tangermunde, he resolved to attack them in the field, and for that purpose ordered out 2000 muskeeters, and a thousand horse. The contest was most severe for some time, but at length the enemy fled with the loss of twenty-nine cornets, and leaving their principal leader, and above a thousand of their men dead on the field. The king's sister's son, the young Rheingrave, was killed, and was much lamented: it was his first appearance before an enemy. This victory, which happened on the 17th of July, gave four days respite to the king to make arrange-

ments for meeting Tilly, who was now expected to come breathing revenge and slaughter; and was a good presage of farther success.

On the 22d, Tilly advanced with his mighty army, and having planted thirty pieces of great ordnance before the king's fore-works, whose army amounted only to 12,000 horse and foot, the latter sheltered themselves behind their walls, on which the cannon made no impression, and exchanged shot with the enemy until darkness made them desist. Munro, with five hundred of Mackay's regiment, was ordered to watch during the night betwixt the out-works and the enemy, and not to quit his post unless overpowered by numbers, in which event to retire skirmishing with his face towards them, until he came under the walls, when the king's army would be ready to second him. Next morning the battle commenced of new with vigour, and continued all day without intermission, Munro and his men having remained in their station all the time. "The whole time," says he, "I with my party did lie on our post, *as betwixt the devil and the deep sea:* for sometimes our own cannon would light short and graze over us, and so did the enemy's also; where we had three shot with the cannon, till I directed an officer to our own batteries, telling them of our hurt, and directing them to plant their cannon higher. In the morning also we lost in the skirmish thirteen soldiers, besides those that were hurt. The day thus past, I was relieved at night." Next day a thick fog came on, and Tilly, who had broke up his army during night, retired, and marched back to Tangermunde, having his rear pursued by a strong body, and six pieces of cannon. Not long thereafter, from daily losses by the incursions of the kings troops, and want of provisions, Tilly was forced to retire from Tangermunde, having left 6000 of his men slain in these conflicts. From thence he proceeded to Halle in Lower Saxony, to distress that country, as the duke had closed the treaty with the king; and he was at the same time looking for supplies of men from Italy, and the upper circles of Germany, whom he expected to join him at Leipsic.

Gustavus, however, resolved to follow Tilly, and for that purpose di-

rected his march to Wittenberg, leaving orders for Marshal Horne, Sir John Hepburn, Colonel Munro of Fowlis, and others, to meet him there. From thence he marched to Duben, the place appointed for his junction with the Saxon army. They arrived next afternoon, consisting of 11,000 infantry and 4000 cavalry,* and the king's forces amounted to 8000 foot, and 7000 horse. No sooner had both armies been marshalled, and received their instructions, than a courier arrived to inform the king, that the castle of Leipsic was surrendered to the imperialists; and that Tilly was advancing with an army of 40,000 horse and foot.

The day preceding the battle, the king kept a fast with his army, and having in the evening put them under arms, they so remained during the night; and next morning, the 7th September, public prayers were put up through all their ranks. Tilly, who had first advanced, chose the best ground at a place called *God's-Acre*, near Leipsic: he beset the Dorps which encompassed the ground left for the king's forces, with dragoniers and crabbets, in order to annoy their wings; and he also had both wind and sun in his favour.

"The magnific and magnanimous Gustavus, the invincible," (as Monro terms him) led on his army, his own troops on the right, and the Saxons on the left; and while he was taking up the disadvantageous ground allotted to him, the enemy's artillery was thundering against him, by

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* "The whole officers of our army," says Munro, "were commanded to be in readiness on horseback, to convoy his Majesty for to welcome the duke and his army, which for pleasing the eye, was the most complete, for personages of men, comely statures, well armed, and well arrayed, that ever mine eyes did look on; whose officers appeared as if they were going in their best apparel and arms to be painted: where nothing was defective the eye could behold. This show seen by his Majesty and officers, the duke with his followers did convoy his Majesty to the sight of our army; which he called to their arms, having lain over night in a parcel of ploughed ground; they were so dusty, they looked out like kitchen scullions with their uncleanly rags, but within were hidden, courageous hearts, being old experienced blades, which, for the most part, had overcome by custom the toils of war: yet these Saxon gentry, in their bravery, did judge of us and ours according to our outsides, thinking little of us: nevertheless we thought not the worse of ourselves."

which not a few were killed; but, having all in his eye, he prosecuted his plans undismayed. At noon he planted his cannon, and till half-past two, the artillery on both sides continued doing great execution, but most on the enemy: then both horse and foot charged. Papenheim with his horse, having charged the king's right wing, which was lined with musketeers, was so pelted, that, traversing the ground, they fell in between that wing and the king's main battle, where Bannier commanded; upon which the king immediately sent some able troops, by whom they were hemmed in and cut in pieces. Papenheim's foot, who were consequently left naked, were soon defeated; he himself being wounded, forsook the field, and left his ordnance behind him.

In order to compensate for this disaster, Tilly advanced down the hill with sixteen regiments of old brave soldiers, flanked by a powerful body of cavalry, and attacked the left wing of the king's army, commanded by Gustavus Horne. Tilly twice or thrice charged fiercely, but was as often resisted with effect; and he was then charged in return. Finding himself sore pressed and galled by the Swedish horse, Tilly suddenly turned off, and furiously set upon the Saxons, who, after enduring several charges with some firmness, gave ground, and then took to their heels, leaving all their fine ordnance to the enemy, who immediately turned the same against the king's forces; and the Saxons, as soon as they were beyond reach of the enemy, pillaged their own baggage, that they might not return home empty handed. The imperialists, upon the flight of the Saxons, exclaimed, '*Victoria! Victoria! Follow! Follow! Follow!*' But Tilly said, "Let them go, we shall soon overcome them; let us now beat the Swedes also, and then all Germany is our own;" and at the same time he dispatched some couriers to the emperor at Vienna, with news of the victory.

A cloud of dust arose at this time, which for a little intercepted the view of both armies. As soon as it subsided, a strong body of the enemy was seen at a short distance, who at first were supposed to be Saxons, but, in reality, were about 8000 of those imperialists who had defeated them; which the king having discovered, he directed Hepburn

to wheel the Scots brigades on his right and left wings, and charge the enemy. That body, which were led by Tilly in person, having seen Hepburn advancing, stood firm, and received the Scots with volleys of shot, in which they were repaid in kind; and then the pikemen rushed forward to the charge, and after an hour's hard fighting, put the enemy in disorder, and darted into their broken ranks, while the musketeers knocked them down with the butt ends of their pieces, till they were entirely routed. Tilly himself was wounded in this engagement.*

The Scots having performed this exploit, the honour of the last service which completed the victory, also accrued to them. Munro describes it in these words: "I having commanded the right wing of our musketeers, being my Lord of Reay's and Lumsden's,† we advanced on the other body of the enemy, which defended their cannon; and beating them from them, we were masters of their cannon, and consequently of the field; but the smoke being great, and the dust raised, we were as in a dark cloud, not seeing the half of our actions, much less discerning the way of our enemies, or yet the rest of our own brigades. Whereupon having a drummer by me, I caused him beat the Scots march till it cleared up, which collected our friends to us, and dispersed our enemies, being overcome; so that the brigade coming together, they missed their dead and hurt comrades." "Our enemy thus fled,

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* The author of the military history recently referred to, after describing the flight of the Saxons, and Tilly's return with that part of his army that had beaten them, proceeds, "At this juncture arrived the king, and having seen what havoc the enemy had made of Cullenbach's troops, he came riding along the front of our brigades, and himself led us on to the charge; when the Scots advanced, seconded by some regiments of horse, which the king had also sent to the charge, the bloodiest fight began that ever was beheld; for the Scots brigade giving fire, three ranks at a time, over one another's heads, poured in their shot so thick that the enemy were cut down like grass before a scythe; and following into the thickest of their foot, made a most dreadful slaughter, and yet there was no flying. Tilly's men might be killed, but no man turned his back, nor would give an inch of ground, but as they were wheeled, or marched, or retreated by their officers; would take no quarters, but fought it out to the last: the men being found dead next day in rank and file as they were drawn up."

† The brave Lumsden himself was wounded at an early stage of the battle.

our horsemen were pursuing hard till it was dark. The blue brigade and commanded musketeers were sent by his Majesty to help us; but before their coming, the victory and credit of the day, as being last engaged, was ascribed to our brigade, being the reserve; they were thanked by his Majesty for their service in public audience; and in view of the whole army we were promised to be rewarded."

There were four regiments of the enemy's reserves; "old soldiers," says Clarke, "that stood to their arms bravely, and feared no enemy; these made good the wood for a long time; killed many a brave fellow, nor would they budge a foot, though they saw no hope of relief, but fought it out to the last man; only some few of them, when they had done as much as men could do, retired under the benefit of the night, which was now come on: by which time, all the imperial army was wholly beaten." "Thus that formidable army of the catholic leaguers, which had for eleven years together given laws to all Germany, and made the name of Tilly so renowned, was in one day, through the power and goodness of God, broken in pieces. About 10,000 of them slain, many thousands wounded, and 6000 forsaking that side, took oath and pay for the king's service; many more running away, and never returned to their colours. Then did the king seize upon the enemy's standing camp, where he found 3000 waggons, with all their baggage, tents, and pavillions, many cattle, sheep, horses, asses, poultry, bread, wine, meat upon the spits, &c. much costly stuff, money and plate. He took 100 ensigns and cornets, 14 demi-cannon, 16 field pieces, &c. The king of Sweden lost but 700 men, and the Duke of Saxony 2000." "Tilly's manly heart could not refrain from tears, when he thus saw his old soldiers go to ruin; and this old conqueror, who used to see the backs of his enemies, is now glad to shew them his own heels; and wounded as he was, fled twenty miles that night. Fustenberg and Papenheim also sore wounded, came thither to him, and having their wounds dressen, they fled in a hackney coach, and Tilly in a horse litter. The king, as he began with prayer, so he ended with thanksgiving, appointing, together with the duke, a public day of thanksgiving to be celebrated,

both in the army, and throughout all Saxony, unto God for this so glorious a victory."*

This was the battle of Leipsic, so famed in history, which may be said to have liberated the Christian world, which is the soul and marrow of the universe. As the Scots had, under Providence, beyond any other nation, emancipated themselves from the idolatry, superstition, and slavery of Rome, so they acted a conspicuous and essential part in this most important and successful struggle. Considering the small numof the king's army after the flight of the Saxons, and the multitude of their enemies, conducted by a veteran general, who had never before been defeated, the issue, which was next to miraculous, must chiefly be ascribed to the God of battles.

After this overthrow, Tilly went from place to place, both for his own safety, and to glean up the scattered remnants of his army; so that in the course of ten days he had travelled above 140 miles. He also wrote to

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* The night before the battle, "the king dreamed," says Clarke, "that he had Tilly fast by the hair of his head, and for all his struggling would not let him go, till he bit him on the left side: which upon the success was interpreted, that the king should have the upper-hand of his enemy, and that Tilly should defeat the Duke of Saxony, who had the left side of the king in the battle."

"Papenheim seeing blood prodigiously dropping from the house of Halle, where he was, said, What! must we bleed? Will the king of Sweden beat us? That is impossible."—*ibid.*

"Some two days before, two flocks of birds had fought on this place, the one killing and beating away the other. The victorious birds remained on the place; which being sprung by the king's van couriers, took their flight to Tilly's army, and then fetching a circle about, returned towards the king's army; as much as to say, We went to fetch you victory: at least some thus thought of it."—*ibid.*

"This magnanimous and religious warrior," says Munro, "overcame the enemies of God, and of the true catholic and apostolic faith, which they endeavoured to suppress, with the professors of the truth, to hold up and maintain the Man of Sin and his erroneous doctrine, by the power of the House of Austria, and of the catholic league. The king abated and laid down the pride of the House of Austria; and did tear and strip naked that old, proud, and ambitious general, Tilly, of his former glory and honour, who had bragged and vainly gloried he had conquered two kings before; but here now the Captain of kings, and King of captains, doth victoriously triumph, having robbed him of his glory, and clipped the wings of the empire with his little army."

Altringer, who came to him with 10,000 men; and having soon after been joined by Lorrain, he found himself at the head of another formidable army, with which he proceeded to besiege the great city of Nuremberg. Next day, however, Count Solmes, the governor, made a resolute sally before Tilly's trenches, where, with his Swedish horse, he killed a great number of his men, and took the prince of Anhalt and many others prisoners. After making some fruitless attempts, Tilly dislodged with his army, leaving of them behind him 2000 dead, wounded, and sick. About the same time he had 12,500 pounds weight of gunpowder blown up by an accident; upon which he said with a deep sigh, "Now I perceive that all my good fortune has forsaken me: for every thing goes awkwardly with me."

Munro requested of the king permission to fill up Mackay's regiment out of such British and Irish as he might find among the six thousand who had left Tilly and entered the king's service. which was readily granted: but upon enquiry Munro found only three Irishmen in the whole number, whom, he says, "I left to follow their comrades; and being returned, his Majesty asked me how I sped? I told his Majesty, the British were so far addicted to his Majesty, that few of them served the emperor."

Before the end of September all the popish towns from Leipsic to Wurtzburg surrendered to the king. He allowed the papists every where the exercise of their religion, only he made them submit to the common rights of war, by contributing to the support of his army, and taking them bound to do no injury to his confederates or followers, and to hold no correspondence with his enemies.*

After the city of Wurtzburg had surrendered, the castle stood out

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* "After the battle of Leipsic, with the sword in one hand and mercy in the other, Gustavus Adolphus traversed Germany as a conqueror, a lawgiver, and a judge, almost with as much rapidity as another could have done on a journey of pleasure, while the keys of towns and fortresses were delivered to him by the inhabitants as to their lawful sovereign."—*Schiller's* 30 *years War.* Vol. 2. P. 13.

in hopes of relief from Tilly, who was then advancing, as was reported, with 50,000 men, furnished by the maintainers of the popish league; which laid the king under the necessity to prosecute the siege with more vigour. The difficulty attending it seemed greater than any thing of the kind he had met with; but by the singular valour and hardihood of Sir James Ramsay's and Sir John Hamilton's regiments, who were the only Scots there at that time, the castle was taken. These two brave heroes were, however, unhandsomely treated on this occasion. General Baudison seized all the rich booty in the castle, and refused them any share of it; and as the king declined to interfere, Hamilton quitted his service in disdain. "Seeing he thought," says Munro, "his nation was wronged, for which, in my opinion, he merits praise." Ramsay made it an alternative with the king, either to serve no more under Baudison, or to throw up his commission; upon which the king chose the former, and sent the covetous fellow, Baudison, a Dutchman, to another post at a distance. Indeed such was the case on all occasions, the Scots were ordered to take the wild bullock by the horns, and after he was slaughtered, they got only the bones to pick.

As winter was approaching, and Tilly near at hand with his formidable army, it was of the utmost importance to the king, to prevent his passage over the river Maine, and for that purpose to secure Wurtzburg, and the other strengths on that river, which he set about with all diligence. He had garrisoned Schweinfurt, about four miles from Wurtzburg, but was uncertain which place the enemy might first attack. He called for Munro in the night-time, and ordered him to get the Scots brigade ready immediately to attend him. They marched together with eighty horsemen to Schweinfurt, where they arrived at two in the morning, and the men were ordered to lye on their arms until day light: then the king ordered Hepburn and Munro to send 200 men of Mackay's regiment to the port before him, as he was to take a view of the walls; fifty horsemen had been in the night time half a mile from town to watch the enemy's movements. No sooner had the king set out, than the enemy's attack on the watch was heard; upon which Munro,

with a hundred and fifty of his men, hastened to their relief, and skirmished with the enemy until the watch had safely retired, and then forced the enemy to make off. The king witnessing their bravery, exclaimed, "*These Scots skirmish well!*" The king returned immediately to Wurtzburg, leaving Hepburn to command at Schweinfurt, where he imagined the enemy only intended a feint.

"Upon the third night," says Munro, "the enemy's trumpets and drums made such a noise, (before Schweinfurt) as though heaven and earth were going together, and continuing, as if they were marching to the walls for a general storm. Our horse-guards being beaten in under the walls, were refused entry, and the out-guards of foot also; and then every man within walls did repair to their posts, expecting a general storm, and the pitterding of the ports. The colonel having visited the whole guards, and made the round of the whole town, seeing all things were in good order, and the day drawing near, we found the enemy was retiring from us, having begun his march at midnight towards Nuremberg." Hepburn was then recalled to Wurtzburg, where the king's troops consisted only of 8000, the rest having been sent to other garrisons. The king was aware that Tilly could not long subsist his army in Franconia, which, as the people were papists, he would not suffer to be plundered; so that before the end of November, the king was in possession of Frankfort on the Maine, and all the other cities from Wurtzburg. He was also joined by Ulm, Strasburg, Nuremberg, and others, besides many had come from Tilly's army under his banner. He then held his court at Frankfort, "which was not inferior," says Munro, "to the emperor's court, in regard of great confluence of people that came from all parts to congratulate the Lion of the North his victories, and to admire his fortunes, being so increased in two years time, that all things succeeded unto his Majesty, according to his own heart's desire."

"His Majesty crossing the Rhine in the midst of winter, did take with him the Scots which were there of Sir James Ramsay's regiment, of old Spence's regiment, and of my Lord of Reay's. Being landed, the Spanish horsemen (at Oppenheim) having furiously charged the

Scots, they, with a little advantage of a hedge, stood by his Majesty against the Spanish horsemen, till the rest were landed." After a hard-fought battle, the town and castle of Oppenheim surrendered. From that time until April 1632, the king with great rapidity pursued his victories, the enemy every where panic-struck, fleeing before him, and towns and castles gave in for most part at the first summons: while his progress by irresistible valour and skill, was equally marked by justice and humanity. Intending to force his way to Bavaria, where almost all were papists, and of course enemies, in order to hinder his passage, Tilly entrenched his army about the Rhine, the king's army fronting his on the other side of the river. The king, while his army was crossing the river on a bridge of boats and planks, kept the enemy in check, by discharging seventy-two pieces of cannon of various sizes on them. Tilly was wounded in the knee, of which he died three days after, in his seventy-third year. The Duke of Bavaria and the army immediately fled to Ingoldstadt, and Neuburg having left a thousand dead on the place.

Walenstine having returned from Bohemia, and joined the Duke of Bavaria, they had an army of about 60,000 men; and the king being informed that they intended for Nuremberg, judged it prudent to retire from Bavaria, and take up his station there. The enemy lay before Nuremberg from two to three months, strongly encamped, and nothing would provoke them to attack the king, though their army was thrice the number of his. In the meantime, detached parties from each side were committing great ravages and slaughter through most parts of Germany; and thus matters went on until August.

In that month the Marquis of Hamilton took leave of the king, and returned to Britain by France. Neither Munro nor Clark mentions anything of the 6000 men he had brought to Germany, excepting as to their arrival, which is noticed by both; and as to the sickness or plague by which they were seized and much reduced, described by Munro. It is most probable that those of them who survived, were stationed in gar-

risons, for it does not appear that any of them, or the marquis himself, ever took the field, or were in any engagement against the enemy.

At that time, the king having been informed by Lord Reay that he could not return to Germany, he appointed Munro colonel of the regiment. Soon after that appointment he was ordered to a desperate post, where he was severely wounded, and his regiment, which was much thinned before, was now reduced almost to a skeleton: but on his recovery he got it made up again of Scotsmen. While he was under cure, he parted with the king at Donawert, never more to meet. "I took leave of his Majesty and the queen, being the most doleful parting I ever suffered, having been still, both I and our regiment, with his Majesty, on all service of importance, since his Majesty's upbreaking from Stetin in Pomerania, till this parting at Donawert, on the Danube, the 11th of October 1632."

The prosperous career of this illustrious king was soon to terminate. Walenstine, on the 4th of November, had marched with the imperial army to Lutzen, about two miles from Leipsic. Next morning, two hours before day, the king with his army having broke up from Nuremberg, marched after the imperialists, and in the evening came in sight of them, when both armies sent out parties, who continued skirmishing till night parted them. On the 6th the well-known battle of Lutzen was fought, in which the king, when his army was hard pressed by the enemy, whose number was three to one of his, having led a charge of some squadrons of horse, and proceeded too far through the enemy's troops, he received three wounds—one in the body, another in the arm, and a third in the head,—of which he died immediately. Thus lived and thus died the great and good Gustavus Adolphus, the champion and deliverer of God's Israel, like another Judas Maccabeus.* William Mackay, (son of

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* "A little before his death," says Clarke, "being in discourse with Dr Fabricius his chaplain, he told him that he thought God would ere long take him away, because the people did overvalue and deify him." He describes him as follows: "The king of Sweden bore a port and presence full of majesty; was of a gallant stature, full six feet

Donald of Scoury) lieutenant-colonel of Mackay's regiment, fell in this battle, along with his eminent commander.

Notwithstanding of the lamented death of their great leader, the Swedes were victorious in this battle also. After the contest had continued long and severe, the Duke of Weimar charged the enemy with great bravery and effect; and at the same time their ammunition waggons blew up, by which their baggage suffered much damage: but while all seemed to be lost on their part, Papenheim arrived from Halle with a fresh supply of troops, upon which the battle was renewed with no less vigour than before. Both parties fought hard till eight in the evening, when Papenheim was killed. The imperialists then lost heart, and fled to Leipsic, leaving behind them three pieces of cannon, and all their baggage that they had saved from the explosion of their gunpowder.

Gustavus Adolphus had, during those wars, trained up so many brave officers and soldiers, that, after his death, they maintained the same good cause in which he had embarked, with little less ardour, valour, and success, until, by the peace of Munster, an end was put to those religious contests which for thirty years had deluged Germany with blood.

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high; full faced, had an hawk's eye, yellowish hair, was clean limbed, strong, active, and hardy; of an undaunted courage, a strong judgment, an admirable quickness of conceit, of a natural vigilancy and indefatigableness; had a marvellous forecast to apprehend and dispose of his affairs to the best advantage; an excellent dexterity to extricate and disentangle the gordian knottiness of a business; he knew how to take advantage of men's humours; and had a native attraction in him to win hearts as well as provinces; he was a great student upon any business of importance; a diligent disputer and canvasser of the answers to be given to ambassadors: A sudden danger seldom astonished his judgment; but the more desperate the peril was, the more nimble was he in his deliveries, still showing most vigour where there was most need of it. He was exceeding temperate in his diet; his feeding was upon strong and soldierly dishes; but that which was most commendable in him was, his religion both public and private; he was frequent in prayers and thanksgivings upon all emergent occasions; he would pray a ship-board ashore, in the field, in the midst of a battle, as if prayer alone were the surest piece of his whole armour." "His enemies themselves gave him this testimony,—that he was the bravest enemy, and the best captain that ever was in Christendom."

Munro, after his recovery, which was soon effected, remained with the army, and was in several engagements, till July 1633, when he returned to Scotland for a supply of men to Mackay's regiment. He was not long, however, in his native country, when such thoughts recurred as prevented him from seeing Germany any more. His favourite master, in whose praises he is so enthusiastic, was gone; Lord Reay had given up the service; and his brother, Colonel John Munro, and his cousins Colonel Munro of Fowlis, and Lieutenant-Colonel John Sinclair, had been killed in battle, and but very few were left of all his military companions.* Colonel Munro of Fowlis having been unmarried, was succeeded by his brother Hector, who, it will be recollected, had married Mary, sister of Lord Reay, and had gone to Denmark an officer in his regiment. He was advanced in Germany to the rank of colonel; soon after the death of his brother he returned to Britain; and on the 7th of June 1633, he was, by King Charles, made Knight baronet of Nova Scotia.† Sir Hector's wife, Lady Mary, survived him, and possessed part of his estate, in which she was liferented.

Lord Reay sustained much loss in a pecuniary respect, by the death of the king, having never been wholly refunded of his expenditure in raising and transporting those men he had sent to Germany; which from first to last would seem to have been no less than 5000. Such was his sense of dignity, that it is said he asked no money from the king to furnish the troops, till after their arrival in Germany; and as the king

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* The author of the Characteristics of the Highland Soldiers, says of Mackay's regiment, while serving under Gustavus Adolphus, "They were his right hand in battle, brought forward in all dangerous enterprises; and they may, like himself, be said to have fallen in the field, and to have been buried with the honours of war."

There were above thirty of those who had gone with Lord Reay to the continent advanced to the ranks of colonels, lieutenant-colonels, and majors.—*Gilbert Gordon of Sallagh.*

The officers of Mackay's regiment are said, in addition to rich buttons, to have worn a gold chain round the neck, to secure to the owners, in case of being taken prisoners, good treatment from the enemy, in hopes of a lucrative ransom.

† Douglas's Baronage.

was killed soon after the last levies were sent, Lord Reay himself had to bear the loss of his outlays; only he had the consolatory reflection, that his loss was sustained in the best of causes. It was not with a sordid view of gain that he undertook his expeditions, for there was nothing sordid in his composition; and, as himself said to Ramsay, he was no soldier of fortune; but first from loyalty and affection to King Charles, and love of honour; and afterwards from these, together with a regard to the protestant religion, which he had previously conceived at home, and in Denmark where he had a better opportunity to discover the perfidy and cruelty of the papists.

It is now full time to transfer this narrative home to Scotland. The apology for detaining it so long on the continent, may be repeated; namely, that the Mackays acted so conspicuous a part in those struggles, of which a true report cannot but be interesting to every friend of religion and liberty: and no detail can be more depended on, than that of Munro, who doubtless took notes at the time, of what he saw, and knew to be true; and who published his book in 1637, four years after his return to Britain, when there were still many alive and at home, of those who had been his fellow soldiers.

CHAPTER XI.

In the year 1631, Angus Mackay of Bighouse, then a widower, married Jane, daughter of Sir Alexander Gordon of Navidale; and having lived with her three years, he died without issue by her, and was succeeded by his eldest son William, by his first wife Jane Elphingston. Gordon of Sallagh says, "The death of Angus Mackay was much lamented, being a very active and able gentleman; he was taken away by witchcraft; the witch was afterwards apprehended and executed, who

at her death, confessed the crime." Or perhaps it was extorted from her by torture. About the time of this second marriage of Angus Mackay, his brother, Iye Mackay of Golvall, was married to Margaret, eldest daughter of John Gordon of Clyderhall.*

Upon the 14th of February 1632, John, Earl of Sutherland, married Lady Jane Drummond, only child of the Earl of Perth: "a comely and virtuous lady," says Gordon, "by whom Earl John had divers children, and they lived happily together, in great love and mutual amity. This marriage was the best in Scotland then, either for means or friendship, or the person of the woman." He might have added, that she was truly pious, and perhaps the greatest blessing bestowed on the house of Sutherland; not only because by her means her husband was enabled to extricate himself from his pecuniary embarrassments, but she was instrumental in directing him to the right side of the question, during the national troubles which obtained not long thereafter; and in promoting piety in the family, the good effects whereof were extensive and permanent. The great Mr Thomas Hog, minister of Kiltearn, who had been chaplain in the family, gives her a high character. She died much and justly lamented, in December 1637, of consumption.

King Charles came to Scotland in the year 1633, accompanied by his principal adviser, Laud, and some of the English nobility; the pretence of his coming was, that he might be crowned in Scotland: but the real ends he had in view, were to attach the Scots to his interest, against his English parliament, and to bring the church of Scotland to the same model with that of England. In order the better to accomplish his views, he was extremely liberal on that occasion, in bestowing titles of honour, gifts, and promises; and amongst others, he appointed Sir Robert Gordon vice-chamberlain of Scotland, and at his suit, he dismembered Sutherland and the Reay country from the sheriffdom of Inverness, forming the two former into one shire; and at the same time erected

* The author has seen their contract of marriage in the office of the sheriff-clerk of Caithness. It is dated at Dornoch, the 15th day of October 1631.

Dornoch into a royal burgh. Among the unprinted acts of parliament 1633, is the following: "Act in favour of the Earl of Sutherland, anent the regality and sheriffship of Sutherland, and making thereof a distinct sheriffdom, and erecting Dornoch into a free burgh royal." But these favours had not the intended effect, as to the Earl of Sutherland; for he, much to his credit, strenuously opposed the king's violent and arbitrary measures. In that parliament an act was made in favour of Sir Patrick Mackay of Lairg, who had been captain in Mackay's regiment.

Lord Reay, from a variety of adverse circumstances, partly already detailed, was much embarrassed, and his good uncle, Sir Robert, took his opportunity to compel him to settle with the Earl of Sutherland on his own terms. He threatened him with lawsuits at the earl's instance, regarding the lands of Durness and other questions; and Sir Robert himself held his lands of Far, Torrisdale and some others, in wadset, for money he had advanced him, when raising his men for Germany. Lord Reay, at the same time, had few if any friends in the council or session, in consequence of the unhappy affair with the Marquis of Hamilton, the king's favourite, who then had the greatest power and influence of any in Scotland; and in which affair, several of the members of both council and session had been implicated, through the sinister officiousness of Lord Ochiltree. Lord Reay was therefore necessitated to take his lands of Durness from Sutherland in feu for service. By the contract, which was entered into in the year 1633, Lord Reay bound himself and his heirs to attend the Earl of Sutherland at parliaments and conventions; to come to Sutherland at weapon-shewing, and to follow his banner and colours; and he renounced the warrandice of Strathnaver, in terms of the obligation surreptitiously obtained from him, on the visit to Lord Elphingston, formerly recited. This contract also contained other articles injurious to Lord Reay.

In that same year, a dispute happened between the Earl of Sutherland and Lord Lorn. William M'Iver, otherwise Campbell, chieftain of the tribe of M'Ivers in Caithness, (where their descendants are to this day) had been removed from his possessions by Lord Berridale, who

had conceived some displeasure against him. M'Iver went to Argyle, and complained to Lord Lorn, who managed the family affairs, in absence of his father, who had been banished Scotland. Lord Lorn wrote to Berridale, and also to Lord Gordon and the Earl of Sutherland, in favour of M'Iver, but Berridale was inflexible. M'Iver in revenge, made several incursions into Caithness, accompanied by a band of the clan M'Kinnon from Argyleshire, and carried away some spoil, and continued these depredations for two or three years. Some of the band had come from the west isles, belonging to Argyle's criminal jurisdiction. They generally returned with their booty through the heights of Sutherland, and the inhabitants permitted them to pass without impediment. In one of these incursions, M'Iver and his son were seized, and brought to Lord Berridale, by whose command they were both executed. The rest of the band who escaped at that time, continued their malpractices, and at length fell upon parts of Ross and Sutherland. Their principal leader, Ewen-Aird, was apprehended in Helmsdale; but his accomplices made their escape, and in their flight carried off some spoil from the heights of Sutherland and Ross. A pursuit having been made after them, ten of their number were seized in Ross, and brought to Dunrobin, where they were put under an assize; and to give their trial the more solemnity, Lord Reay and several gentlemen were invited to be present at it. They were all found guilty, condemned, and hung at Dornoch, excepting two boys, who were dismissed on account of their youth.

Being much offended at these proceedings, Lord Lorn complained to the privy council, that the Earl of Sutherland had apprehended the king's lieges without any commission to that effect; and condemned and executed persons who had been apprehended beyond the bounds of his jurisdiction, and ought to have been sent to Argyle to be tried. The matter, however, was quashed by the privy council, on seeing an extract of the proceedings, and a letter subscribed by Lord Reay, and some others who had witnessed the trial, representing facts as they stood.

About the same time a rupture took place between the Earls of

Sutherland and Huntly, which may have had its influence in promoting their disunion during the national troubles which commenced a few years after. James Crighton of Frendraught, who had married the Earl of Sutherland's eldest sister, had some serious disputes with William Gordon of Rothimay, which occasioned the outlawry of the latter. Frendraught raised a party to apprehend him, in resisting of which he was mortally wounded, and he died in a few days. The Gordons in revenge, with the sanction, or at least connivance, of Huntly, burnt Crighton's house and corns, and drove away his and his tenant's cattle, and wasted all before them. "They did not," says Gordon, "even spare the houses and goods of the ministers and church-men that dwelt upon the laird of Frendraught's lands. The laird of Frendraught did oppose them for a while; but at last thinking that they durst not make such an open rebellion so nigh unto Strathbogy, unless the marquis was privy and accessory to it, he fled out of the north, and retired himself to Edinburgh, where he made heavy and grievous complaints to the council against the marquis and his sirname. Then did these rebels and outlaws freely oppress all the laird of Frendraught's lands, and expelled his tenants from their houses and possessions without any let or opposition." All amicable intercourse between Sutherland and Huntly was thenceforward suspended.

Complaints had been sent to the king, in the year 1634, by many of the inhabitants of Zetland, regarding injuries they had sustained; in consequence of which he ordered his council to send Sir Robert Gordon to these islands, to enquire into, and take order concerning the same. Sir Robert professed great willingness to undertake the business, and that he was ready to risk his life and fortune in his Majesty's service; but when the matter came to maturity, he shrunk back, and, in September, prevailed with the council to write the king that it was too late in the season to send him; and that they had appointed justices in Zetland to enquire into and redress these grievances. Had Sir Robert, as on former occasions, signified a wish that Lord Reay should be joined as a commissioner, the latter would readily have consented;

but Sir Robert, if he wanted courage, he had as little prospect of gain, and no revenge to gratify by the business, and he therefore prudently declared off altogether. In July of that year he had been appointed a member of the privy council.*

After the death of his first wife, Lord Reay married a lady in England, named Rachel Winterfield, by whom he had a son called Donald. He was, however, afterwards informed that she had been previously married, and that her husband was still alive, and residing in Ireland, upon which his lordship obtained a sentence of nullity of the marriage against her in England; and thereupon he married a woman of great beauty, Elizabeth Thomson, daughter of Robert Thomson, keeper of the queen's wardrobe: which, Gordon says, "was imputed to Lord Reay as a matter of great weakness, that a man of his reputation in the world, should have married a woman without birth, without means, without friendship; but in matters of love, the wisest are to seek." He brought this lady with him to Tongue, and had a daughter by her. But all this did not deter or prevent Rachel Winterfield from prosecuting her matrimonal claim.

"In the month of June 1637," says Gordon, "Rachel Lady Reay, having obtained a sentence before the judges delegates at London, against her husband the Lord Reay, and she being decerned to be his wife, came with great pomp to Scotland to prosecute her husband. She caused him to be summoned before the council at Edinburgh against the 27th day of July ensuing. He did not appear; William Innes of Sandside did appear for him, and presented his supplication to the council, desiring a continuation, which was refused: for the stream of the whole body of the secret council was so bent against him, having formerly irritated most of them in the Marquis of Hamilton's business, by making them

* Some time previous to this, his brother, Sir Alexander Gordon of Navidale, who was a stiff papist, had gone with his family to reside in Ireland, to avoid being brought to trouble for his religion, being less expert than Sir Robert at acting *the Vicar of Bray.* It is said that they were all drowned on their passage.

accessory thereto, that the sentence went against him on her side without delay. He was ordained to give her two thousand pounds Sterling for her past maintenance during the suit, and three hundred pounds Sterling yearly for her maintenance during his non-adherence. Not long after this, his third wife, Elizabeth Thomson, died, leaving a daughter behind her."

A good degree of mystery, besides injustice, seems to be connected with this business. Rachel lived in England, and most probably was called, for her interest, when the case as to her former marriage was enquired into, and the sentence of nullity passed: but when the question before the delegates at London at her instance was agitated, Lord Reay was in his own country, and most likely knew nothing of what was going on against him, and perhaps the delegates proceeded merely on evidence produced by her of her marriage with Lord Reay. Had Hamilton and his friends any hand in supporting her plea at London, and afterwards at Edinburgh? The case, when brought before the council, certainly required delay. Her first husband, it was alleged, was living in Ireland, and it was therefore necessary to have the fact ascertained; or, if it was ascertained, as seems likely, during the enquiry as to the nullity, in either case, delay was necessary to enable Lord Reay to bring his proof from Ireland or England to be laid before the council. But "the stream of the whole body of the secret council was against him," because he had "formerly irritated most of them in the Marquis of Hamilton's business." By Gordon's account, Lord Reay's marriage with Rachel appears to have taken place seven or eight years before; and he obtained the sentence of nullity in 1631, being six years before she instituted her action before the council, which was an additional plea on his part for obtaining delay, and afforded strong grounds for suspecting the goodness of her cause. The council, however, having been formerly disappointed, and now glad of an opportunity to have a hit at him, proceeded in irritation, and with the utmost rigour gave decreet against him in little more than a month after her arrival in Edinburgh. This affair added much to his former embarrassments.

In the year 1636, Sir Robert gave his nephew, the Earl of Sutherland, possession of the lands of Golspitour, Baikies, and Golspy-Kirktown, which he had sold him in the year 1630, but kept in his own possession until then, as Gordon says, "for some considerations and conditions among themselves." These lands had not been in possession of the Earls of Sutherland for upwards of two centuries. Most of them belonged to, and were held of Mackay since the year 1499, and Lord Reay was not then in condition to redeem them; besides, he had little hope to succeed before courts where irritation or favour supplanted justice.

The power of the Scottish bishops had now grown to a monstrous height, and by their means the nation was on the verge of absolute slavery. In 1636, a book of ecclesiastical canons was, by their connivance with the king and Laud, sent down to Scotland; and in course of that year, a book of ordination. In the following year the English Romish liturgy, or service-book, arrived. These three were imposed upon Scotland, merely by the king, privy council, and bishops, without consent of either parliament or general assembly. During the forty years preceding, prelacy, with many of its accompanying ceremonies, had been by court policy introduced into Scotland, contrary to the mind of the wisest and best part of the nation: but they were never before now imperatively imposed without the sanction of some general assembly and parliament, such as they were. At this time, however, matters were come to such a pass, that nothing more was deemed necessary than that the Scottish bishops, in concert with Laud and others of his stamp, should desire what they thought proper; which being sanctioned by the king, and in virtue of his mandate imposed by the privy council, became a law, and superseded the necessity of either assembly or parliament. These arbitrary proceedings aroused the spirit of the nation, so that all ranks made a simultaneous movement to assert their liberties, which were now to be maintained, or for ever lost. Many were influenced by a supreme regard to religion and reformation, but a greater number came forward in defence of their civil liberty and property; a third class consisted of those who would go every length to please the king

with a particular eye, at the same time, to their own emolument and advancement: of which class, afterwards termed Malignants, the Marquis of Hamilton was the prime leader: and the papists, if not included with these, may be called a fourth class.

Upon the 23d of July 1637, the dean attempted to introduce the liturgy into the high church of Edinburgh, which produced the well known tumult among the common people of the city. The privy council in consequence dispensed with the service, and dispatched a messenger to the king, representing how matters stood, and requesting to know his pleasure thereanent. Laud returned the messenger with all expedition, giving them to know that it was the king's firm resolution that they should go on with their work; and that he blamed them much for suspending it.

As the harvest labour had by that time been begun, matters lay over until the middle of September, when a great number of noblemen, gentlemen, burgesses, and others, presented a petition to the privy council, expressive of the national aversion to those innovations, and requesting that they should not be pressed, until the true state of matters was laid before his Majesty. The Earl of Sutherland was one of those who gave in the petition. The council being apprehensive of the danger of proceeding to extremities in the face of such formidable opposition, granted the petitioners' request; and the Duke of Lennox, who was then in Scotland, was solicited to give the king a fair detail of matters, as he had only received a garbled and partial account from Laud and Spottiswood, stating that the opposition was made only by a few ill-affected puritans. The King, however, was inflexible, and he returned no other answer to the petition sent by Lennox, than to order a proclamation to be published from Stirling, prohibiting all tumultuous meetings, under the pain of rebellion, &c.

Indignant at these short-hand and unprecedented measures, sundry noblemen, barons, ministers, and burgesses met together, and signed a protest of the following import which they gave in to the council: 1*st*, That it is the undoubted right of the subjects of Scotland to have immediate access

to the king by petition. *2d,* That archbishops and bishops ought not to sit in any judicatory in the kingdom, civil or ecclesiastical, till they have purged themselves of those crimes which are ready to be proved against them. *3d,* That no proclamation of council in presence of the archbishops and bishops shall be prejudicial to any of our proceedings. *4th,* That neither we, nor any that adhere to us, shall incur any damages for not observing the liturgy or book of canons, so long as it is not established by general assembly or act of parliament. *5th,* That if any inconveniency fall out, (which God prevent,) upon pressing the late innovations, we declare the same is not to be imputed to us. *6th,* That all our proceedings in this affair have no other tendency but the preservation of the true reformed religion, and the laws and liberties of the kingdom.

As the king and his creatures and abettors were obstinately bent to press forward their tyrannical and opprobrious measures, the great bulk of the people of Scotland were firmly resolved to oppose them by every lawful and constitutional mean. As a matter of duty, and in order to unite themselves the more closely together, they agreed to renew the national covenant for reformation, entered into in the years 1580, 1581, 1590, and 1596. This was commenced in Edinburgh in the beginning of March 1638; and before the end of April, the covenant was sworn and subscribed by multitudes of all ranks through the nation. It met with most opposition in Aberdeen, from the influence of the Marquis of Huntly, but notwithstanding, several hundreds swore and subscribed it there also. It was taken at Inverness by the whole nobility and gentry in the north, with very few exceptions, and by many others; and amongst the rest by Lord Reay, and afterwards by his son, John, master of Reay.

The king at length, though reluctantly, indicted a general assembly to meet at Glasgow in November 1638. That place he considered the best, because the Marquis of Hamilton, whom he appointed his commissioner, had great power in that part of the country. The marquis was instructed to dissolve the assembly, under pain of rebellion, in case they should interfere with the estate of the bishops. But they continued to sit in the face of this threat, until they finished all the business

they had on hand; and, amongst others, they abolished prelacy root and branch, and restored presbytery, on the ground that its origin was divine.

The principal persons who persuaded the people in the north to take the covenant, were the Earl of Sutherland, Lord Reay, and John, master of Berridale, son of William, Lord Berridale. All the Forbeses were true to that side; and none was more zealous than the Earl, afterwards Marquis of Montrose, who not only was too forward in pressing the covenant upon recusants, but fought for some time on the covenanters' side, until it was discovered that he was traitorously corresponding with the king, when he changed sides, and was the instrument of much bloodshed and turmoil to the nation. The principal enemies the covenanters had in the beginning to contend with, were the Marquis of Hamilton, in the south, and the Marquis of Huntly, with his numerous friends and followers, in the north.

Huntly wrote by confidential agents to the Earl of Sutherland, advising him to look better to the standing of his house, than to join with the covenanters against the king, and blaming him for having been too busy in coming to Inverness and Elgin, accompanied by Lord Reay and the master of Berridale, and others, persuading all to take the covenant. Sutherland, in reply, told him that he was not against the king, but against the bishops and their innovations; which were prejudicial to the king's just authority, the laws and liberties of the kingdom, and the national religion; and at the same time advised him to change his sentiments, which would be more honourable to himself, and advantageous to his country; adding, that if the quarrel had regarded his (Huntly's) own private concerns, he would join him against any other subject; but in this public cause he had taken his ground, and was resolved to maintain it to the utmost of his power.*

The Scots bishops persuaded the king to come with an army as far north as York, assuring him that the report of his coming would make the Scots submit themselves to his pleasure. But it had a contrary ef-

* Gordon of Sallagh.

fect; for when the covenanters found that petitions, protests, declarations, or remonstrances, would not prevail, they prepared, with all possible alacrity, for their just self-defence; took in all the forts and strengths in the kingdom, got arms and ammunition from Holland and other parts, and were well provided with excellent military officers, who had distinguished themselves in the German wars.

The king sent Hamilton from England with forty ships and 6000 men, expecting to effect a landing at the Frith of Forth: but all places were so guarded that he was disappointed. Huntly, with all the forces he was able to muster, took possession of the town of Aberdeen for behoof of the king, and kept it for some time. But General Sir Alexander Leslie, commander of the covenanters' army, together with the Earls Marshall, Montrose, Kinghorn, and others, came against him from the south; and on the north he was opposed by the Earls of Sutherland and Seaforth, Lords Reay and Lovat, the Master of Berridale, the lairds of Mackintosh, Grant, Innes, Altire, Kilravok, and in short all the covenanters on the north of the river Spey. The Earl of Caithness and Lord Berridale inclined to the king's party; but the bulk of the inhabitants of Caithness were better affected towards the master of Berridale, and followed him in preference to his father or grandfather. So strong was Lord Reay's attachment to the king, that he had almost resolved to join with Huntly; and some correspondence having passed between them, when Reay was at Elgin, he sent his son, the master of Reay, on invitation, to converse with Huntly, with whom he continued for some time. Hemmed in on all sides, Huntly was at length apprehended, together with his eldest son, and John master of Reay, and all sent to Edinburgh, and warded in the castle. The master of Reay was soon liberated, as nothing was found against him excepting his being in Huntly's company. He then swore and subscribed the covenant, and promised to deal with his father to adhere to that party who asserted the liberties of their country: which he accordingly performed, and succeeded so far, as that soon thereafter, they both, and their men, stept forward to the assistance of the covenanters. Gordon writes as follows:—

"The king coming to Berwick, and business growing to a height, the armies of England and Scotland lying near one another, his Majesty sent the Viscount of Aboyn, and Colonel Gun, who was returned out of Germany, to the Marquis of Hamilton to receive some forces from him, and with these forces to go to Aberdeen to recover and possess that town. The Marquis of Hamilton, lying at anchor in Forth, gave them no supply of men, but sent them with five ships to Aberdeen; and the marquis himself retired with his fleet and men to Holy-island, hard by Berwick, to reinforce the king's army there against the Scots at Dunslaw.

"At Aboyn's arrival at Aberdeen, he found all his friends dispersed; the covenanting lords having chased them northward, were besieging the house of Gight, having taken the strong house of Foveran. The lairds of Banff, Foveran, and Crummy, with divers others, were forced to take them to the sea, and to flee into England; for the surname of Gordon, with the laird of Banff, and the rest of their associates, at their parting from Aberdeen, flying northward from the Earls Marshall and Montrose, entered with their army into Murray, thinking to persuade the covenanters of these parts to lie off until Marshall and Montrose were returned south. Most part of the covenanters benorth Spey were met at Elgin, and had resolved there to fight against the Gordons; yet some well-wishers of the peace of the kingdom, and of the Gordons in particular, (Sutherland and Reay among the first) dealt so effectually betwixt them, that they parted without blood; and the Gordons with their forces retired back again out of Murray, and passed over to the Enzie, where they dissolved their forces. There was at that time above 4000 men of the covenanters assembled in Murray. There came out of Caithness a company of well appointed men, conducted by Sir James Sinclair, laird of Murkle. There came out of Sutherland a resolute company, led by George Gordon, the Earl of Sutherland his brother. Lord Reay and his eldest son came thither with the choice men of Strathnaver. Hugh Ross of Achincloigh led the Rosses and Balnagown's friends. John Munro of Lumlair did conduct the Munros; the Earl of Seaforth,

with his brethren, uncles, and friends, came thither well armed and appointed; the master of Lovat conducted the Frasers, and his own friends and followers; the laird of Grant did lead his own kin the Grants; thither came also the young Baron of Kilravok, with his father's friends and followers; the tutor of Duffus led his nephew, the laird Duffus his followers. All these made up a pretty army; they marched to Spey-side, where they encamped. The Earl of Seaforth was made general of the covenanters' forces assembled there at that time by North Spey."

Perhaps the covenanters erred in not having given the chief command at that time to Lord Reay, who had certainly much more military skill and experience than any among them; and as to courage he was second to none; and had they done so, they would have infallibly secured his interest and assistance during the whole struggle. They no doubt suspected him, (and perhaps not without some cause,) of favouring the king, and this probably was the reason why the command was not given him. There, however, they entirely mistook him: for such was his high sense of honour, that he would neither directly nor indirectly betray any confidence reposed in him; nor fail to act faithfully under a trust which he had undertaken: and it is not improbable that his being overlooked, with its attending circumstances, had some influence in leading him to change sides: but when he did so, it was avowedly and openly. At the same time, their making choice of Seaforth shewed that they were actuated more by partial favour and interest than by wisdom: he was, by far, less qualified for the charge; and he soon thereafter did, what they supposed, without ground, Reay might do,—he left them, and went to the king's party.

Aboyn had received a commission of lieutenancy from the king, was joined by the Earl of Airly and others, and had an army of 3000 foot and 500 horse; but notwithstanding thereof, he gave the chief command to Colonel William Gun, as an experienced and brave officer, who had first served in Mackay's regiment, and afterwards commanded a regiment in Germany. It indeed appears that some of Aboyn's followers felt indignant that Gun, who was, in their estimation, but of obscure

descent, should command them; and therefore, whensoever his orders did not accord with their narrow views, they suspected him of treachery, of which he was incapable. A recent writer says, "In the neighbourhood of Stonehaven the covenanters were advantageously posted on a hill south of the village, and one Johnston proposed that part of the army should attack its front, while another, making a circuit westerly, should throw themselves in their rear, and prevent their retreat to Dunnotter. To this Gun objected, and his treachery was considered as demonstrated; but the Highlanders, who never had faced cannon, when the general, after much entreaty, allowed a skirmishing party to push forward, justified the caution he had shewn in avoiding an engagement; at the first round they fled, and sought refuge in a moss, nor could all Aboyn's efforts recal them to the field. In a state nearly of mutiny, the army returned toward Aberdeen, and after an ineffectual stand at the bridge of Dee, they dispersed."* Had Gun been called upon to fight gainst the Earl of Sutherland or Lord Reay, perhaps he would have declined the service; but he was such a man, that where he had once engaged himself, he might be depended on.

When Aboyn returned from England, Marshall and Montrose, who were ignorant as to the number of men he had brought with him from thence, retired to Mearns, to keep open their communication with the south; and probably being also uncertain as to what confidence they could place in their northern adherents, or what assistance they could render them. They wrote to them to send some confidential persons to meet them in some convenient place in Aberdeenshire, to consult as to how they were to resist Aboyn and his army; upon which George Gordon, Sutherland's brother, and Thomas Mackenzie, Seaforth's brother, were dispatched to Dunnotter, and after remaining two days there with Marshall and Montrose, they returned with advice to the army in Murray, having narrowly escaped being intercepted at the bridges of Dee and Don. Aboyn and Colonel Gun marched in the meantime

* Aikman's History of Scotland, Vol. iii. P. 506.

from Strathbogy to Aberdeen, and possessed it for a short time, until Marshall and Montrose returned with a strong body from Angus and Mearns, when a hot skirmish took place at the bridge of Dee. Aboyn was defeated, and forced to retire to Strathbogy, where he dissolved his forces. Gordon says, "The covenanters took the town of Aberdeen without resistance, which now was made a pattern and precedent of desolation and pity, by these several incursions; for all the inhabitants had forsaken the city, and fled from thence, yet the lords did recal them again, and used them gently with all discretion." Next day after Marshall and Montrose possessed it, news arrived of a pacification between the king and the Scots army at Berwick, which suspended those commotions for some time.

It has been shewn that the lands of Achness, and several other parts of Strathnaver, belonged to the clan Abrach Mackays. They had now possessed them, though without written titles, for more than two centuries. At this time (1639) Murdoch Mackay, who had married Christian, daughter of Donald Mackay of Scoury, as before mentioned, possessed Achness, as chief of the clan; and Moudale, and some other parts of the strath, were held by his cousins, Niel Mackay and William-More Mackay, the latter of whom was the most powerful of the name in his time. Some dispute had arisen between Murdoch and Niel, regarding the chieftainship, in which the latter was supported by William-More. Niel, by some means, had got possession of the family-colours; and Murdoch, who was of a meek temper, and averse to come to an open rupture with such near relatives, allowed him to retain them. These colours are now in possession of Hugh Mackay in Thurso, the lineal descendant of Niel.* They bear evident marks of great antiquity.

Sir Robert was most eagerly resolved, that the lands of Strathnaver should fall to the Earl of Sutherland: but while he saw, on the one

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* He is termed by the Highlanders, *Hutcheon na Brattich,* i. e. Hugh of the Colours. He is now above 80 years of age, and though low as to worldly circumstances, he always possessed the spirit and dignity of a chieftain.

hand, that the matter might be easily effected, by reason of Lord Reay's embarrassments, and that his lordship still retained a grudge at the clan Abrach, on account of the slaughter of his uncle, John-Beg Mackay, which he had shewn in various ways; he was aware, on the other, that it would not be an easy achievement, to deprive that clan of the lands which they considered their own, and had held as such for so many generations. Sir Robert also knew that Lord Reay would not transact either with himself, or with the Earl of Sutherland, regarding Strathnaver, and he therefore employed a most artful man, Robert Gray of Creech,* to endeavour to purchase them, taking him bound to convey them to the Earl of Sutherland, on the same terms on which he should settle with Lord Reay. Accordingly Lord Rea and Gray entered into some sort of bargain; but soon thereafter his lordship was given to understand, that the purchase was really intended for Sutherland, on which account he refused to perfect the sale. Some time after, he entered into terms with his old friend, John Gordon, then Sir John Gordon of Embo, as will soon more fully appear; only it may be observed, that Sir John Gordon was thenceforward a butt of Sir Robert's resentment, and through him of the earl's also.

Upon the 24th of January 1639, the Earl of Sutherland married Ann, daughter of Lord Lovat. In August following, John, master of Berridale, died at Edinburgh, much and justly lamented, as a friend of civil and religious liberty; and particularly by the people of Caithness, who had enjoyed more peace and prosperity by his means, than that county had ever experienced before; he left two sons by his lady, daughter of Colin, Earl of Seaforth. In that year, Colonel William Gun was made a knight at Berwick, and soon after was appointed gentleman of the king's bed-chamber; he was gradually advanced by his own merit, from the low station of a serjeant, in which he had gone with Lord Reay at his

* A descendant of his, of the same name, who seems to have inherited his craft, has been, in a song composed by Rob. Don, the Durness bard, classed with other two famous characters; *En Donnis, 's Rogard, 's Rob,* i. e. The Devil, and Rogart, and *Rob.*

first outset to Denmark. In August, one Thomas Abernethy was converted from popery, upon which he discovered (having been hitherto a jesuit,) many plots which had been hatched in Rome, Spain, France, and Britain, to bring the latter back to popery, and in which he himself had for many years been deeply concerned. "This Abernethy," says Gordon, "whilst he stayed formerly in Scotland as a jesuit, had his greatest residence in Caithness, with the Lord Berridale, as a Roman catholic, and went there in a disguised habit, as the Lord Berridale's chamberlain and bailie of his lands; sometimes he repaired into Sutherland to seek his prey, but he did not prevail there." John Abernethy, bishop of Caithness, who was deposed by the General Assembly 1638, was probably a brother of this Thomas.

"Sir Robert Gordon returning from England to Sutherland this year," 1639, says Gordon, "assisted and advised his nephew, the Earl of Sutherland, in setting in feu divers of his lands in Breachat, (the heights of Sutherland,) for relieving some of the earl's debts, which he had contracted for the Lord Reay, who had given to the Earl the lands of Durness in mortgage and security for his money, until they might have time and leisure to settle and finish the bargain for the lands of Strathnaver. Mr John Gray's name was borrowed to this bargain of Durness, when it was first intended." There is here a farther discovery of Sir Robert's tricks. This John Gray was dean of Caithness and Sutherland, and had died the year preceding. Lord Reay wishing to be as little as possible in the power of Sutherland, who had an unquenchable thirst after his lands, borrowed the money from Gray, and gave him the mortgage. But Gray was merely the tool of Sir Robert, to lend the earl's money, and to assign to him the mortgage; and so bent were they after Strathnaver, that the earl mortgaged a great part of his own lands, to enable him to get at it.

In 1640, the king, instigated by Laud and the Scots bishops, raised a fresh army to invade Scotland, having been made to believe that the Scots would not be able a second time to furnish or maintain an army sufficient to oppose him; and he was also joined by a number of Irish

papists; but he found his measures much cramped by the English commons, who refused to grant him any subsidy in that quarrel. The Scots, however, were proclaimed rebels; Huntly and his three sons, Lords Gordon, Aboyn, and Ludowick, with several other lords and gentlemen, went to England to assist the king.

On the other hand, the Scots were not idle, but what preparations they made in the south will be omitted. Several of Huntly's friends, who had formerly shewn their opposition, were apprehended and imprisoned in Edinburgh. Colonel Robert Munro, who has been often mentioned, was appointed to command a strong garrison at Aberdeen; he took the castle of Spynie, and sent the Bishop of Murray, John Guthrie, who had hitherto kept it, to Edinburgh. He was one of the thirteen bishops, including the two archbishops, who had been deposed by the Assembly 1638, seven of whom were excommunicated. The Earl of Sutherland was directed to watch, in case any English or Irish should land to the north of Cromarty. The Earl of Seaforth and Lord Reay, who were both suspected, were called before the Lords at Edinburgh, and detained there on their parole for two months. Lord Reay could not be prevailed upon to take up arms against the king; but he was allowed to return home, on his promise to take no part against the covenanters, which he kept inviolate, for neither he nor any of the Mackays took concern in the commotions of that year. There went from Caithness, to assist the covenanters, a company led by Lord Sinclair of Ravensheuch, to whom the late master of Berridale had committed the management of his affairs; and the Earl of Sutherland sent a company conducted by John Gordon his cousin. The covenanters' army marched to England, under command of Sir Alexander Leslie, consisting of 30,000 foot, and 3000 horse, having 56 pieces of cannon of various dimensions. They beat the king's army, took their cannon, and a great quantity of arms; but pursued their victory with great moderation, without calculating upon what their own fate should have been, had their opponents prevailed. A treaty was begun at Rippon, and from thence transferred

to London, where the whole proceedings of the covenanters were approved of by the king, and declared to be just and lawful.

During the king's stay in Scotland in 1641, while he professionally granted the covenanters all the satisfaction which they desired, he gave private orders to the Earls of Traquair and Montrose, to make a party for him in the kingdom; in consequence of which they gained over many of the nobility and others, among whom were the Earls of Athole, Hume, Wigton, and Lords Reay, Johnston, Napier, &c. The plot, however, was discovered; Montrose, Napier, and others, were imprisoned; and some were cited to answer at the next session of parliament. There was nothing found against Lord Reay, but mere suspicion. One John Stuart was executed, for giving false informations against several nobles and barons. The Scots parliament approved of, and ratified all that had been done by church and state for reformation, during the four preceding years; the king and his household, the Marquis of Hamilton, and many who had hitherto stood out, swore and subscribed the covenants. The king yielded every thing to the Scots, in order to conciliate their favour, in hopes of their support against the English parliament; and he was at the same time countenancing and encouraging the rebellion and massacre in Ireland: the papists having resolved, with his connivance, to exterminate the protestants in that kingdom. To such measures was the unhappy king led by his evil counsellors.

"The year 1642," says Gordon, "the Earl of Sutherland perfected and finished that bargain he had formerly begun with the Lord Reay, for the lands of Strathnaver, and bought them, even from Mowdale to Invernaver; and at Whitsunday this year, the earl did let these lands to such tenants as he pleased. At this time the earl did quit and discharge the Lord Reay the claim which he then had for the lands of Durness, which were fallen into the earl's hands, for not-payment of the feu-duties, according to the Lord Reay his infeftments holden of the earl. Sir Robert Gordon did then also renounce in favour of the Lord Reay, all the rights and interests which he pretended to the lands of Farr, Torrisdale, &c. So now by joining the Strath of Naver to the earl's property in Sutherland,

and to the hill Benmore and Benhie, the earl is become mighty, both in manrent and otherwise. For performance of this bargain, the earl did feu some of his lands in Sutherland this year." Thus, by Sir Robert's persevering manœuvres, following up the system of fraud and oppression, which for ages had been practised against the house of Mackay, and countenanced by the partial favour of rulers, Sutherland obtained an extensive and fertile tract of Mackay's country, which for many centuries that family had endeavoured in vain to obtain by force; and the clan Abrach were deprived of their rightful inheritance. But Gordon is mistaken, if he means that Sutherland placed tenants in all these lands; he might have done so as to part of them, but Niel Mackay, who had assumed the chieftainship, did not during his life acknowledge Sutherland as his landlord, according to Gordon's own statements.

In this year, there were 10,000 men sent from Scotland, to assist in quelling the rebellion and butchery in Ireland; they were commanded by General Leslie, and Robert Munro who was now advanced to the rank of major-general. George Gordon, Sutherland's brother, accompanied General Munro, with about 160 choice men of Sutherland and of the Mackays; he served as captain in General Leslie's regiment. The covenanters imposed great confidence in Munro, as an honest man and a brave soldier, and which farther appears from several letters sent him to Ireland by the General Assembly. General Leslie's character for integrity, military skill, and bravery, was well known throughout Europe.

When the civil war commenced in England, Sir Robert, who always loved, and betook himself to "the lee-side of the brae," set about packing up his luggage in that kingdom with all speed, leaving his friend, and friend's son, Charles, to fight his way the best he could. He bid good night to England, and retired with his family and his mother-in-law, to his estates in Murray, the names of which, Plowland and Hogstown, he changed to Gordonston. He was raised by means of James and Charles to affluence; but he forsook Charles in his greatest need, as has been the manner of all sycophants at all periods.

In February 1643, George, Earl of Caithness, died in his 79th year, having outlived his son, Lord Berridale, and his grandson John, master of Berridale. He was succeeded by his great-grandson George, son of the latter. The quietness and moderation with which he appears to have conducted himself, during the last twenty years of his life, plead much in his favour. He was no doubt ambitious, and had endeavoured to make himself strong, by his alliance with Huntly, and coalition with Mackay; but such was the temper and manner of many in that period. Mackay's deserting him, as before noticed, was of more hurtful consequences to both families than all that had ever befallen them; for, by that means, Sutherland first prevailed against Caithness, and having almost ruined him by Mackay's assistance, he then, by Sir Robert's long course of studied artifice, greatly injured his friend and relative Mackay.

About this time Lord Reay married his fifth wife, Marjory, daughter of Francis Sinclair of Stircoke, cousin of the Earl of Caithness, by whom he had three sons, William Mackay of Kinloch, Charles Mackay of Sandwood, and Rupert; the latter two were twins.

The following publicly-interesting paragraph, which appears to be stated with accuracy, will be given in Gordon's own words. "The year 1643, the war betwixt the king and the parliament of England waxed hotter and hotter. His Majesty gives way to one year's cessation in Ireland, betwixt the English protestants and popish rebels there, wherein the Scots army in Ireland were not comprehended; which grieved the Scots, and such English as favoured the parliament, who did regret that there should be any cessation at all with such cruel rebels, who had destroyed so much Scots and English blood of the protestants in Ireland. The estates of Scotland desire a parliament from his Majesty in this kingdom, which is refused to them: whereupon they summon a convention of estates to meet at Edinburgh for supplying the Scots army in Ireland. Then they advertise his Majesty, desiring his approbation; unto the which he did consent, but so as they should treat of no other matter save only for the supply of the Scots army in Ireland. They sup-

posed this to be against the liberties of the kingdom to be so restricted and tied; and therefore they treated also of the dangers which they conceived did hang over the kingdom, their religion, and liberties. Then also there was a general assembly of the church of Scotland at Edinburgh. In the meantime there are commissioners sent out of England from the parliament there, to the convention and assembly of Scotland,* desiring aid and support out of Scotland, by virtue of their national league formerly made against the prelatical and popish faction, who having gotten the king into their power, governed all at their pleasure; and did, by the queen's assistance, endeavour to suppress their religion and liberty, and to advance popery: unto the which request the convention and assembly yielded; and there made a mutual covenant with England to defend one another, their religion, liberties, and king's honour, and the privileges of both the parliaments against the popish and prelatical party, and all malignants whomsoever; and this covenant, called the Solemn League, was generally sworn and subscribed in both the kingdoms: which covenant his Majesty disclaimed and discharged, as a contempt of his authority, and repugnant to his prerogative, thus to make any league with another nation without his Majesty's consent. Many in Scotland stood out against this covenant, refusing to subscribe it, chiefly the Marquis of Huntly, and his second son, the Viscount of Aboyn: but his eldest son, the Lord Gordon, followed the estates of the kingdom, and took charge from them as commander of the forces in the sheriffdom of Aberdeen, Mearns, and Banff, jointly with the Earl Marshall."

In the spring of this year Lord Reay sailed to Denmark, where he remained about twelve months, in command of a regiment, of which his second son, Angus, was lieutenant-colonel; he was afterwards Angus Mackay of Melness, from whom Captains Kenneth Mackay of Torboll, and William Mackay of Stennes are descended. Lord Reay's attachment

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* John, Earl of Rutland, Sir William Armin, Sir Henry Vane, jun. Thomas Hatcher and Henry Darley, Esquires; and Messrs Stephen Marshall and Philip Nye, ministers of the Gospel.

to the king was unshaken, and at the same time he could not think of taking up arms against his country; he therefore retired for a time, to avoid the importunities of both sides, and left his son John, master of Reay, to manage his affairs in his absence. The Earl of Sutherland was appointed by the estates to command the forces to the north of Cromarty, which so displeased the Earl of Seaforth that he declined the service. Aboyn, Montrose, and Nithsdale went to England to join the king. Aboyn and Nithsdale wrote letters to the Earl of Antrim to send an army of Irish to Scotland, which letters were found in his custody when he was apprehended by General Munro, by whom he was imprisoned; but he afterwards escaped by means of John Gordon, Sir Robert's nephew. General Munro having sent these letters to the convention, Aboyn and Nithsdale were summoned, and having failed to appear, they were denounced rebels, and forfeited.*

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* The author of the life of Colonel Gardiner gives the following notices regarding General Munro. "This worthy general, in the year 1641, was appointed by King Charles I. Major-General of the Scotch forces that were sent to Ireland to suppress the infamous and destructive rebellion there. I find that he had at length the honour to be in the number of those by whom God gave blood to drink to those miscreants who had rendered themselves so eminently worthy of it, by a series of outrages, which the most sanguinary and detestable faction on earth (I mean that of popery) has seldom been able to exceed. For in the year 1644, this illustrious commander, at the head of 14,000 of the Scotch and English protestants, defeated 22,000 of the Irish in Ulster, killed and took many thousands of them, and seized on a great quantity of cattle and other provisions of which the protestants were then in great want.

"The general was a great favourer of the presbyterian interest, and among the first who established it in Ireland. He sat in their presbyteries and synods; and adhered to the interests of the parliament, till he apprehended they were carrying matters to an excessive height against the king; on which he accepted of a commission from him, and acted under the duke of Ormond; to which he was persuaded by his nephew, Sir George Munro (of Culrain,) who had always adhered to the interests of Charles I. as he afterwards did to those of Charles II.

"In the year 1645, the general was surprised by Colonel Monk before he could draw out his men from their quarters; and he and they were by that means taken prisoners; but he continued not long in their hands, for death came, and set him at liberty soon after.

"It is worthy of our notice by the way, that in the year 1644, we find Monk im-

In January 1644, General Leslie marched to England with 20,000 Scots, to assist the parliament against the king. This was deemed by Huntly a fit season to bestir himself, when most of the troops were absent. Letters of intercommuning were issued against him, and published at every market-cross in the north; orders were sent him to deliver up his castles, and warrants given for his apprehension. In the month of May he received the king's patent appointing him lieutenant-general of Scotland north of the Grampians, upon which he published two manifestos, the tenor of which may be easily anticipated. He then raised an army of 1200 foot and 300 horse, and being informed that Aboyn, Crawford, Montrose, Nithsdale, and others had marched north with an army from England, and had taken Dumfries, he waited some time in hopes that they could join him; but being disappointed, and resolving not to be idle, he took Aberdeen without resistance: but was soon obliged to retire northward, as Kinghorn was advancing against him, and had taken thirty of his men prisoners. The Spey, how-

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prisoned by the parliament for having accepted a commission from the king, and acting in consequence of it, though before that he had acted by commission from the parliament: and again, in the year 1648, we find him fighting for the parliament against the king: and his surprising and taking General Munro, was the first thing that brought him into favour with the parliament. For in that reeling time we find men of a much better character than Monk changing sides again and again, as they apprehended the one party or other to be in the right, from the many different demands, refusals, and concessions which then happened between them."

He might have added, that Monk had a chief hand in restoring Charles II., without any terms, immediately after he had taken the oath of abjuration, renouncing his title to the crown, and engaging to be faithful to the parliament and commonwealth. Monk appears to have been one of the many in those times who regarded oaths and the most solemn professions no farther than they suited their ambition or avarice. Others, such as Lord Reay, General Munro, &c. seemed to have at first embarked in the cause of civil and religious liberty, from conviction of its importance and paramount claims, but without "counting the cost," or resolving to pursue its interests at all hazards; and consequently, when the state of the question became involved by the craft and sophistry of the abettors of arbitrary government, under the mask of the king's safety, and by loud cries of severity and mismanagement raised against the covenanters, neglecting to steer by their compass, they were inadvertently led to oppose that cause in behalf of which they had originally engaged.

ever, limited his progress, the north side of which was lined by the inhabitants of Murray, assisted by some of their northern friends. Finding himself hemmed in on all sides, he dissolved his forces, leaving every man to shift for himself, took ship, and landed in Sutherland, from whence he went to Caithness; but not considering himself safe there, he retired to Tongue, where he lived in quiet and security a long time with John master of Reay. He had previously been proclaimed a traitor, and forfeited by the state, and he was excommunicated by the church. Thus Huntly, whose family had almost ruined the house of Mackay, now owed his life to that house, which, besides, was exposed to great danger by harbouring him, who was intercommuned and proclaimed a traitor. It was deep policy in Lord Gordon to join the covenanters, for whichever party should prevail, the property and titles were secured to the family; and in the meantime he procured some lenity to his friends.

The king having recalled Lord Reay from Denmark, he left his regiment, took ships and stores with him, and landed in England, in spring, 1644. His ships and goods were seized, and his loss on that account was afterwards estimated at L.20,000 Scots. After remaining for some time with the King at Oxford, he sent him in command of the Scots who were there, to advance his service in the north of England. Lord Reay was in Newcastle when it was besieged, stormed, and taken by General Leslie; he was taken prisoner, along with the Earl of Crawford, both of whom were sent under a guard to Edinburgh and warded in the castle. Lady Reay having come to Edinburgh to her husband during his confinement, she was delivered in the castle of the twins before mentioned, one of whom his father named Charles for the king, and the other Rupert for the prince of that name.

"Argyle pursued all the royalists in the north," says Gordon, "he besieged the houses of Gight and Kelly, which both he took, and therein the lairds of Gight and Haddo prisoners, and sent them to Edinburgh, where the laird of Haddo, and one captain Logie were afterwards beheaded. Argyle did then at Aberdeen fine the most of the Gordons,

and others who had followed the Marquis of Huntly, and pardoned divers of them, at the intreaty of Lord George Gordon, his nephew, who was then in service with the state. The laird of Drum, younger, fled into Caithness, where he and his brother, Robert Irvine, were apprehended by his lady's cousin, Francis Sinclair, the son of George, Earl of Caithness, and carried along by him to Edinburgh, where he and his brother were imprisoned in the tolbooth, with the Earl of Crawford and the Lord Reay, who were taken in the town of Newcastle and sent prisoners to Scotland. There was about 20,000 merks, Scots money, promised by the state to any man that would apprehend the young laird of Drum and his brother; part whereof was paid to Francis Sinclair at his coming to Edinburgh, when the laird of Drum and his brother were delivered there by him." He had, some pages before stated that in December preceding "the Lady Mary Gordon, the daughter of George, second Marquis of Huntly, was married to the laird of Drum, younger, whose father had been made Earl by his Majesty.*

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* This family of Drum, who were partners with Lord Reay both in acting and suffering, is one of the most ancient in Scotland. It has been stated that Sir Alexander Irvine of Drum was killed at the battle of Harlaw. He is celebrated in verses which were composed at that time.

Gude Sir Alexander Irving,
The much renounit laird of Drum,
Nane in his dayis wer better sene,
Quhen thai wer semblit all and sum:
To prais him we sud not be dumm,
For valour, wit, and worthines;
To end his dayis he ther did cum,
Quhois ransum is remeidyles.

During the battle he had encountered with M'Lean of Doward, ancestor of M'Lean of Coll, who was lieutenant-general under Donald, Lord of the Isles. They fought in single combat till both were killed.

Sir Alexander was a lineal descendant of William De Irwin, whom King Robert Bruce brought with him from Dumfriesshire when he came from England to recover his kingdom. He made him his armour-bearer, and gave him his own arms, when Earl of Carrick, viz. *Argent,* three bunches of holly leaves, three in each, two and one; *crest,* a bunch of holly leaves; *supporters,* two savages with batons, and wreathed; *motto, Sub,*

In the month of July, Alexander Macdonald landed in the west of Scotland with 1500 Irish, having an intention to join Seaforth and Huntly. Seaforth had previously promised the king his support, and to re-

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sole, sub umbra virens. The king afterwards granted him a large tract of country, then called the forest of Drum, in Aberdeenshire, by charter under the great seal. "*Willielmo de Irwin dilecto et fideli nostra totam forestam del Drom extra parcum nostrum exceptis terris per nos datis Alexandro de Burnard de eadem foresta tenandam et habendam dicto Willielmo et hæredibus suis de nobis et hæredibus nostris in feodo et hæreditate in liberam Baroniam.*" *Witnesses,* "*Barnardo, abate de Aberbrothic; Toma Ranulph, Comite Moraviæ; Jacobo, Domino de Duglas: Alexandro Fraser, Camerario Scotiæ, &c. apud Berwicum super Twedam, primo die Februarii anno regni nostri Septimo decimo.*" A.D. 1323. In English thus, To our beloved and faithful William Irvine the whole forest of Drum beyond our park, except the lands given by us to Alexander Burnet of the same forest, to be holden and to be held by the said William and his heirs, of us and our heirs, in fee and heritage in a free barony. Witnesses, Bernard, abbot of Aberbrothick, Thomas Randolph Earl of Murray; Lord James Douglas; Alexander Fraser, chamberlain of Scotland, &c. At Berwick upon Tweed the first day of February, in the seventeenth year of our reign. A.D. 1323. The Alexander Burnet mentioned, was the ancestor of Sir Robert Burnett of Leys, bart.

There appears to have existed an ancient feud between the Keiths, hereditary great marshals of Scotland, and the Irvines of Drum. It is said that the states of Scotland enjoined a matrimonial alliance between the families in order to suppress it: but that Sir Alexander could never bring himself to complete the union. When about to engage with the islanders, he made a vow to do so if he returned; but, if he should fall, he recommended it to his brother, who accompanied him, that he should marry the lady. His brother, having returned safe, and assumed the name of Alexander, accordingly did so. He was one of the commissioners sent by the states of Scotland to treat of the ransom of King James I., and was knighted by him in 1424. His son, Alexander, who succeeded him, married the daughter of Abernethy, Lord Saltoun. His brother distinguished himself at the battle of Brechen, 1452. Alexander, the seventh in descent, obtained a gift of non-entry of the estate of Forglen, "on account of Drum, his said son, and their friends, their good and thankful service done to the king, (James V.) in searching, and taking, and bringing his rebels to justice." He married Elizabeth Ogilvie, daughter of the laird of Finlater, and was killed at the battle of Pinkie (1547) during his father's lifetime. His son, Alexander, who succeeded his grandfather, married Lady Elizabeth Keith, daughter of William, Earl Marshall.

The house of Drum was built in 1619, by his son and successor, Alexander, as appears by the dates over the windows, with his initials, and those of his wife, Lady Margaret Douglas, daughter of the Earl of Buchan. It is a stately and commodious building, expressive of the elevated rank of the family. Very extensive alterations and improvements, particularly in the interior, have been made within the last forty years, by the present proprietor, Alexander Irvine, Esq. who is both heir of entail and heir of line. Adjoining

ceive these Irish troops, regarding whom he had corresponded with Macdonald; but he had, some time before their arrival, changed his sentiments; and, on being restored to the chief command north of Spey, returned to the covenanters. Finding that Seaforth had disappointed him, and that Huntly's troops were dissolved, Macdonald purposed to return to Ireland, but here also he was anticipated, the Marquis of Argyle having burnt and destroyed his ships. He then proceeded southward, and was joined by clan Ranold, Glengarry, the greater part of Badenoch, and soon after by the men of Athole. At Dunkeld he met with Montrose, lately created marquis, who held the king's commission, appointing him his lieutenant-general of Scotland, by whom Macdonald was appointed major-general. Montrose had been lately joined by Airly, and sundry other nobles and barons, so that he was now furnished with a strong army. He was intercepted near Perth by the men of Fife and Perthshires; but, as they were undisciplined, he overcame them, with a loss on their side of about 300 men. The town of Perth then surrendered to him without resistance.

Montrose proceeded next to Dundee, which having refused to surrender, he passed to Aberdeen, near to which he was opposed by Lord Forbes and others; but as Lord Gordon had delayed to come up with

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to the house, there is a strong ancient tower, the date of which is not known. It much resembles the tower of Ackergill, only that its corners are a little rounded, and that its lowest apartment is partly under ground, Drum is situated near the river Dee, ten miles west from Aberdeen, on the slop of a *hill,* (which the gaelic word *Drum* or *Drom* signifies,) and enjoys an extensive prospect to the east and south.

Sir Alexander Irvine, knight, son of the preceding, was sheriff-principal of Aberdeen. He married Magdalen, daughter of Sir John Scrimzeour, constable of Dundee. He and his son Alexander, who succeeded him, sustained very great losses in consequence of their attachment to Charles I. and II. He himself, together with his sons, Alexander and Robert, were long fellow prisoners with Lord Reay. Robert died in prison, and his brother, Alexander, was under sentence of death, the execution of which was stopped in consequence of Montrose's victory at Kilsyth. Sir Alexander obtained a patent from Charles I. creating him Earl of Aberdeen, but the civil wars prevented its passing the seals. After the restoration, the peerage was offered to his son Alexander, but he declined accepting it.

his promised aid, they were overpowered by numbers, and defeated with the loss of about 200; and Sir William Forbes of Craigiver and some others were taken prisoners. Gordon writes, "Then Montrose entered the town, where his army made great havoc and spoil, plundered them of their goods, and killed the inhabitants, without distinction of age or sex, to the number of eight score, which was done chiefly by the Irish and Scots highlanders. This happened in September 1644."

The Marquis of Argyle was then sent north by the estates against Montrose. The latter was prevented from crossing the Spey by the northern forces, and being pursued by Argyle he fled to Athole, and from thence, being still followed, he returned to Strathbogy. A skirmish took place between them at Fyvie, with little gain or loss on either side, only that the Earl Marshall's brother was, with much regret, killed. "After this skirmish," says Gordon, "Montrose was forced to keep the wood of Fyvie; he raised his camp in the night, and went to the house of Strathbogy. Argyle followed him, and encamped also within a mile of his enemy. After that the armies had both lain in that posture five or six days, Montrose in the night withdrew to the hills, and so southward again. Thus did both the armies vex this north part of the kingdom, to the undoing of the subjects." Hume, who was himself an infidel, and sneers and scoffs at all religious matters, gives a very different account of these affairs. He says of Argyle: "This nobleman, though celebrated for political courage and conduct, was very low for military prowess; and after some skirmishes, in which he was worsted, he here allowed Montrose to escape him." "By a quick and unexpected march, Montrose hastened to Inverlochy, and presented himself before the surprised, but not affrighted covenanters. Argyle alone, seized with a panic, deserted his army, who still maintained their ground, and gave battle to the royalists." He refers to Rushworth. But Gordon had far better access to know of these transactions, and he says, there was but one skirmish, in which Argyle was not worsted, and as an evidence of which, he pursued him from one place to another, notwithstanding of

his strong army of desperadoes and cut-throats. And with regard to the battle of Inverlochy, Gordon writes as follows:

"Alexander Macdonald and the clan Donald having a particular quarrel and malice against Argyle, they persuaded Montrose to go into Argyle's bounds, where they passed most part of the ensuing winter; they burnt the town of Inverary, but could not get the castle; they wasted and burnt most part of the country. In the meantime he assembled an army of two or three trained regiments, together with his own friends and followers, and pursued Montrose to Lochaber, who by this time was returned by the height of Loch-Ness, in the beginning of the year 1645. But upon a sudden, Montrose returned from the height of Loch-Ness towards Lochaber against Argyle, who had transported half his army over the water of Inverlochy, under the command of the laird of Achinbreck, and he staid with the rest of his army upon the other side; whereof Montrose having perfect intelligence, he invaded Achinbreck, and that part of the army at Inverlochy; he killed about eight hundred of them, with their leader Achinbreck, and divers of the special men of the surname of Campbell. Argyle being unable to relieve them, by reason of an arm of the sea that was interjected betwixt them and him, he returned into his own country with the rest of his army. There was slain on Montrose's side, Sir Thomas Ogilby, the Earl of Airly's son, and divers others." He farther says, that the covenanters' army of the north went as far as Abertarf in pursuit of Montrose, which appears to have been the cause of his sudden return from the heights of Loch-Ness. His intention seems to have been to go north to gain some to his side: but finding that his way was blocked up, he returned southward, and was soon informed that Argyle had divided his army. There is nothing in the whole business from which it can be inferred that Argyle was wanting in either prowess or skill as a general. It was proper to divide his troops for their more convenient supply in provisions, when no enemy was near; and the sudden return of Montrose, and his attacking half of Argyle's army, were merely such casualties as frequently occur in war. After the battle of Inverlochy, Montrose, in place of following Argyle

and the other half of his army, retired direct to Badenoch, and down along the Spey; and finding that the army of the north had returned home, he crossed over to Murray.

"Montrose," says Gordon, "came with his army to the town of Elgin the 19th day of February 1645; he staid there and thereabout for the space of eleven days; so perceiving that the gentry did forbear to repair to him, he sent parties to plunder their lands, and totally wasted the shire of Murray. He caused burn the houses of Innes, Brodie, and Grange-hill, and the corns of Lethan, seeing they could not take the house; and because the laird of Innes refused to render unto him the castle of Spynie, he caused burn the most part of his lands in Murray. At this time the Lord Gordon, with most part of his friends, came in to Montrose, upon what grounds I know not. So Montrose left Murray, and marched towards Aberdeen; and by the way he burnt the laird of Bayn's lands, and some others who refused to come unto him." These and similar atrocities, of which Montrose was guilty in the whole of his career, were more like the conduct of a ferocious savage, than of a man of genuine bravery and courage; and more particularly when he acted so towards his own countrymen, and with whom he was lately joined under the most solemn bond and oath: yet this is the man who has been cried up by many as a non-such hero. It was not a little derogatory to the king to let loose such a tiger among his subjects, and to authorise him to perpetrate such villanies; only these are matters of less surprise after the countenance he gave the Irish papists four years before, to murder his protestant subjects; and both the king and his advisers were short-sighted, when they could think to prosper in the end, or subdue Scotsmen by such proceedings. The Scots have been often won over by craft, but never by mere force or cruelty.

It appears that Sir Robert Gordon had some under-hand dealing with Montrose when in Murray, by which he saved his property from damage. He was summoned to Inverness by the governor, Sir Mungo Campbell, and made to give bond for his appearance at Edinburgh when called. Had he any concern in making Lord Gordon turn his coat?

Thomas Mackenzie, Seaforth's brother, was summoned at the same time, and made to give a similar bond. Seaforth himself was suspected, and seemingly not without cause; having gone to speak with Montrose, and remained with him three days: he gave out that Montrose detained him as a prisoner; but this was not credited; and his conduct both before and after went to justify the suspicion.

Montrose marched southward, and burnt and destroyed, as usual, particularly Earl Marshall's lands. Generals Baillie and Urrey marched against him, and encamped at Cupar-Angus; but Montrose evaded them, and endeavoured to take Dundee by surprise. Hume says, he sent a detachment of 800 of his men, who took it by assault, and that he delivered it up to be plundered by his soldiers. But this is incorrect. Gordon writes, "He (Montrose) sent Colonel Nathaniel Gordon with the horse before him, who assaulted the town, whilst Montrose and the Lord Gordon followed. The town defended themselves valiantly, and maintained the assault from eleven o'clock in the morning until five afternoon. The Irish burnt the west part of the town, but the inhabitants from within killed divers of their best men. Baillie and Urrey followed them with speed. Montrose, hearing of their approach, left Dundee, and retired to the north water with his army in the night, being loath to engage his foot. They followed him hotly, but his march was so speedy, that Baillie's foot could not overtake them. Urrey with the horse, skirmished all the way with them, and never left pursuing them till they came to Eggel. In this march, and about the town of Dundee, Montrose left six score of his best men. In the retreat Lord Ludowick Gordon, with some horse, still defended the rear, having now deserted the parliament."

The victory gained by Montrose at Alderne near Inverness, was chiefly owing to the treachery of Captain Drummond. Montrose was attacked upon the ground himself had chosen to the best advantage. Gordon says, "MacDonald with his Irish were thrice repulsed by Lawer's regiment; (Sir Mungo Campbell's); but the horse which were trusted to Captain Drummond, being traitorously misled by him, were soon routed by the

Viscount of Aboyn, and being driven upon their own foot, they disordered them altogether; yet the southland foot stood still, and never went out of their first order, but were killed in their ranks as they were first marshalled. Montrose and the Lord Gordon pursued hard. All Urrey's horse were presently routed; his whole foot were left bare to the mercy of the enemy, who made a great slaughter among them: yet never foot fought better. The laird of Lawers, and most part of the foot officers, were slain: some few were taken prisoners. The slaughter of James Gordon at Struthers made them take the fewer prisoners, and give the less quarter. The Earls of Sutherland and Seaforth, Urrey, and all the gentry of Murray, retired in safety to Inverness. Urrey lost about 2000 men at this fight. Montrose lost Captain MacDonald and about two hundred others, who, after the victory, caused burn the laird of Calder's lands. When Urrey returned to Inverness, Captain Drummond was accused of having betrayed the army. He confessed that he had spoken with the enemy after the word and sign of battle was given, whereupon he was adjudged by a council of war to be shot to death, which was done."

There is much ground to think that neither Seaforth nor Sutherland was hearty in this action, the former from his shifting manner, and having been three days lately with Montrose; and the other from his favour for the Gordons; almost the whole loss fell on the southern foot; few of the northern suffered, though they were put in disorder, nor were any of their officers killed, otherwise Gordon would have mentioned it. He says, "Captain-lieutenant Gordon of Brora, one of the Earl of Sutherland's officers, was taken prisoner, who was shortly after released by the Earl of Aboyn, whose prisoner he was." This writer seems to have known more of these matters than he had freedom to reveal. Montrose had but little credit by this victory: for it is pretty evident, that had he not previously calculated on the treachery of Drummond, and the disposition of Seaforth and Sutherland, he would, in place of giving battle, played the fugitive as formerly. This battle, won by treachery, seems to have laid the foundation of his after successes.

He then marched southward, firing towns, villages, and houses, as he went along; and in his progress he fell in with fresh adherents. Baillie returned from the south with some new supplies, and was joined by Urrey: upon which Montrose fled to Mar; but returning soon, he came within sight of Baillie, and having made a feint of drawing up in battle order, retired again towards Mar. Baillie pursued him as far as Alford on the river Don. Montrose had every advantage there, from the knowledge the Gordons had of the grounds. Baillie's foot were defended by some folds and inclosures, from whence they fired on the enemy, and killed Lord Gordon and some others. On purpose to draw them from these fences, Montrose made a pretence of retreating; and Baillie believing he had really fled as usual, pursued him, until Montrose got him into a disadvantageous post, when he turned suddenly, and a sharp encounter ensued for about an hour, in which Baillie was put to the worse, with the loss of about seven hundred of his men. On the part of Montrose there were slain Lord Gordon, Mowat of Bucholly or Freswick in Caithness, and some other officers, and many of his men; a great number of the Gordons were wounded. Baillie and Lord Balcarras, who commanded the horse, retired southward. There is reason to suspect that Urrey never was altogether true to the covenanters. Immediately after this battle he was recalled from the north, perhaps that he might be more under the eye of the estates: at any rate, it is certain he was afterwards executed for taking part with the king.

It appears that Huntly had no inclination to join with Montrose, though he and all his family and adherents were on the same side. Some say the principal cause was, that he disdained to serve under him, and felt hurt that the king did not appoint him his generalissimo. Others state, that when Montrose was pressing the covenant in Aberdeenshire, he invited Huntly to a conference, under a safe conduct, but finding him refractory, he took him and his son, Lord Gordon, prisoners, and sent them to Edinburgh, where they lay in confinement until the treaty; and that Huntly never after trusted one who had treated him with such perfidy; but the former reason seems to be the most ostensible, as Huntly

considered himself second to none in the kingdom, and as all his family and friends assisted Montrose by his sanction. Burnet says, "Astrology ruined him: he believed the stars, and they deceived him: he said often, that neither the king, nor the Hamiltons, nor Montrose would prosper; he believed he should outlive them, and escape at last: as it happened in conclusion, as to outliving the others. He was naturally a gallant man, but the stars had so subdued him, that he made a poor figure during the whole course of the wars." Huntly's prognostications were partly true and partly erroneous: the king, or the Hamiltons, and Montrose did not prosper in the issue. Montrose outlived them all; Huntly outlived the king and Duke Hamilton, but he did not escape, for the three were beheaded, the king first, and Hamilton and Huntly afterwards in March 1649.

Finding by information sent him, how the battle at Alford had gone, and that the covenanters' power was broken in Aberdeenshire, Huntly was desirous to return home from Tongue, where he had resided about fifteen months. He sent word to his son, Aboyn, to come north with a strong convoy for his safety, upon which he provided 2000 men for the purpose, intending to direct their course by the west end of Loch Ness, to prevent their being intercepted by the covenanters, or obstructed by the ferries or arms of the sea in the north. But when Aboyn was ready to set out, word came to him from Montrose to make haste to his assistance, to oppose the covenanters' forces at Perth, under command of Baillie, Urrey, and the Earl of Crawford. Both armies met at Kilsyth, where the covenanters were routed, with the loss, Hume says, of 6000 men; but Gordon, who knew better, says, above 3000. This was a grievous stroke to the covenanters; for it enabled Montrose to march, and spread devastation through the kingdom for a time, at his pleasure. It was, however, but for a time, and a short time. This battle, the consequence of which was so disastrous and threatening to the kingdom, was fought on the 14th August 1645. Montrose then marched to Edinburgh; but as the plague raged in the city, he was afraid to enter it. Nathaniel Gordon, however, went thither, and liberated all the state

prisoners, and among the rest Lord Reay and Ludowick Lindsay, formerly Earl of Crawford, both of whom had been confined about sixteen months; as also Sir Alexander Irvine of Drum, and his eldest son Alexander. Lord Reay returned home soon after. A few days before his arrival, Huntly had set out from Tongue, escorted to the east side of Caithness, by John, master of Reay, and 300 of his men, where Huntly took a boat, which landed him at Enzie upon the 4th October. During his stay in the Reay country, he and his agents were busy, and not without effect, in preventing the Caithness-men and the Gordons of Sutherland from taking part with the covenanters, and also in weaning Seaforth from them, who had been formerly inconstant.

Montrose, now proudly exulting in his victories, and vainly imagining that all Scotland was his own, appointed a parliament to meet at Glasgow in October: but before that time, his wings were clipt, and he had to run for his life. General David Leslie returned with the Scots army from England against him; they met and engaged at Philiphaugh, on the banks of the Tweed, the 13th September; "where," as Gordon says, "Montrose was utterly overthrown, beaten, and chased. Most of all the Irish were killed, having hardly escaped himself: many were taken prisoners, most of them Scotsmen. Among others Colonel Nathaniel Gordon was prisoner, and executed thereafter at St Andrews." Here all the vain-glory claimed by Montrose, and that has since been lavished on him, was completely eclipsed. Assisted as he had hitherto been by a trained army of Irish desperadoes, and by the treachery of many of his professed opponents, together with his having the king's commission, he had only to do with undisciplined troops for the most part; but when a regular army led by an able general came against him, all his empty fame was blown away with the wind, and he never recovered it afterwards.

Soon after his return home, Huntly and his son, Aboyn, raised all their forces and marched to Murray, where they wintered, and took houses belonging to gentlemen of the covenanters. Montrose, at the same time, having fled with the remainder of his foot to Inverness, and

laid siege to it, without effect, returned, and wintered in Stratherne, Strathbogy, and Petty: his horse he had sent to Mearns, under command of Ludowick Lindsay. In November, the latter, being alarmed by a report that the covenanters' army were advancing against him, fled in confusion to Kintore, where he met with Huntly then on his way to Aberdeen, and persuaded him to return. Lindsay then went with all his horse to Buchan; he burnt Fraserburgh, and upon a fresh alarm he retired to Banff, from which he was driven with some loss by Montgomery and Barclay, and then, in February 1646, retired to Murray where Huntly was, after which he joined Montrose at Petty.

The jealousy between Huntly and Montrose still increased; the former contended that his commission was absolute north of the Grampians, and was dated the 1st of February 1644. Montrose insisted that he had three commissions, the first dated in February 1644; the second in August 1645, and the last in April 1646; and that his powers extended over all Scotland. He gave Huntly what he said were copies of these commissions, but refused him a sight of the originals. Huntly, notwithstanding, requested that he should join with him against the covenanters, between whom and Montrose they had lain for five weeks; but Montrose refused, pretending that the enemy would intercept him, upon which Huntly marched to Aberdeen and took it after some resistance. This conduct manifested a defect of disinterestedness and liberality. Huntly was his senior in age, and by far his superior in rank, opulence, friends, and power, and not deficient as to courage: on which accounts Montrose, had he preferred his master's interest to his own private ends, would by all means have conciliated Huntly's favour, and yielded to him in every thing not prejudicial to the king's service; but generous feelings can scarce be expected in an apostate. Gordon writes, "this proceeded from Montrose's arrogancy, ascribing to himself the glory of all that was done, though what was done was most part by Huntly's power;" he adds, that Captain Darcy who had been sent by the queen with a supply of arms and ammun-

ition to Montrose in a frigate, "exclaimed against the envious proceedings of Huntly, to the great prejudice of the service."*

In November 1645, the Earl of Sutherland sent to demand the rents of the lands of Strathnaver belonging to the clan Abrach, which were sold to him by Lord Reay. This having been peremptorily refused, Sutherland sent a strong party, who drove all the clan Abrach's cattle they could find. They however assembled, and being led by Niel the assumed chieftain, pursued the Sutherland-men, and not only recovered their own cattle, but took a spoil out of Sutherland from such as were prime agents for the Earl against them. This gave rise to a new quarrel between Sutherland and Reay, the former alleging that Reay was privy to the pursuit and spoil made by the clan Abrach, because he did not compel them to obedience, and to make restitution. And besides this, Lord Reay had uplifted the rents of the other parts of Strathnaver, because the earl had not fulfilled his part of the agreement, nor obtained possession. As the kingdom was then in a tumult, these matters lay over for some time. John Mackay of Dirlet, brother of Lord Reay, died in November this year, generally regretted, "a man of good inclination," says Gordon.

The Earl of Seaforth having openly joined Montrose, they laid siege to Inverness† but learning that General Middleton was on his march

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* "Such persons as were thought most acceptable to Huntly, were sent to him by Montrose, to advise him to submit to him as captain-general of the king's forces, and as his deputy-governor; the one was Donald Lord Reay, at whose house he had lived during his concealment; the other was Alexander Irvine, younger of Drum, who had a short time before married Huntly's daughter; both of them under great obligations, and extremely grateful to Montrose, having lately recovered their liberty by his means. However, they came no speed with Huntly. Lord Reay was so much hurt at the disappointment that he was ashamed to return; but Mr Irvine returned to give an account of his commission, and never afterwards forsook Montrose."—*Wishart's Memoirs of Montrose,* P. 217. It seems more probable, however, that Lord Reay had declined a service which he saw must be desperate, and was greatly obstructed through the ambition of Montrose in taking the precedence of Huntly.

† Aikman writes, that at this time the Earl of Sutherland had been persuaded by Montrose to come under his standard, and that he accompanied him to Inverness. *History of*

against them, they raised the siege, and hastily crossed the river near the sea, then betook themselves to the hills, but not before several of their men were killed, and their baggage seized, including two field pieces the queen had sent by Captain Darcy. "Then Middleton went to Beauly, from thence to the channory of Ross, and there besieged the castle wherein the Lady Seaforth was, and the ammunition Montrose had from the queen, which he took after four days siege. He used the countess of Seaforth discreetly; took all the ammunition, restored the house to the countess, and returned to Aberdeen."

Middleton returned to Inverness, and after adjusting matters there, went back to Murray, where he was informed that Huntly had taken Aberdeen by surprise. He marched thither with all speed, and chased Huntly to Mar, killing several of his men, but judged it imprudent to pursue him farther, as Huntly and his army were better acquainted with the mountainous and trackless grounds in that district. Middleton then returned to Aberdeen, where he placed matters in the best order that circumstances would admit of.

In spring 1646, Seaforth sent a company of men to pursue Niel Macleod of Assint for some private injuries, in which he had been abetted by the Earl of Sutherland; and as the latter had sent a party to assist Macleod, Lord Reay, at Seaforth's request, sent a company to aid him in that pursuit. They besieged Macleod's castle of Ardvrack, in the Isle of Assint, for some time: but peace having been proclaimed in May, Lord Reay called home his men, and the siege was given up. The king had fled in disguise from Oxford, and, for his safety from the English parliament, surrendered himself to the Scots army at Newark, upon which he sent Colonel Ker with letters to Huntly and Montrose to lay down their arms, which they accordingly did. The estates of Scotland thereupon published an indemnity to all who should submit themselves, with

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Scotland, Vol. 4. P. 241. This, however, is incorrect. The Earl of Sutherland never gave any countenance to Montrose; nor did he in one instance appear against the covenanters.

the exception of Montrose, Ludowick Lindsay, General Urrey, Alexander MacDonald, and Graham of Grothy. The latter procured an indemnity through the interest of Lord Balcarras; Montrose fled to Denmark and thereafter to France, Lindsay to Spain, MacDonald to Ireland, and Urrey to Holland. Seaforth submitted himself to General Middleton, and procured his peace with the estates, after he had been relaxed from the sentence of excommunication in the high church of Edinburgh, where he had been made to stand in sackcloth. The reasons of his excommunication will afterwards appear.

When those public storms had been thus suspended, Sir Robert Gordon issued from his covert, and came north to Sutherland to assist the Earl in calling Lord Reay to an account with regard to all questions between them; and having resolved on the measures to be adopted, they went to Edinburgh to get matters prepared against next meeting of parliament. In August, Lord Reay was summoned to appear before parliament in four several actions, at the earl's instance. *1st.* For the feu-duties of the lands of Durness. *2d.* For ejecting him from the lands of Strathnaver he had sold to Sutherland. *3d.* For the cattle taken by Niel Mackay, his kinsman, from the people of Sutherland. And, *4th.* For his clan having risen in arms to assist Seaforth against Sutherland, and Macleod of Assint. Gordon says, "The parliament stood fast to the Earl of Sutherland, as for one who stuck hard to them, and had most advanced their affairs in the north of Scotland." So this *reforming* parliament decerned according to the service they had received from the party pursuer, and not according to justice! Next to Sir Robert, the greatest enemy the clan Abrach had, was Robert Gray of Creech, who was a principal tool in getting their lands conveyed to Sutherland. In return for this and other injuries he had done them, they went in the month of August and drove away most of his cattle. This also was laid to Lord Reay's charge: but he wrote to Sir Robert, who was then at Edinburgh, assuring him that the fact was done without his consent or knowledge."

In October, Middleton came to Enzie, and wrote a letter to Huntly

requiring his submission to the estates, otherwise he would be prosecuted with the utmost rigour: to which he replied, that he would not acknowledge him, nor pay any regard to his threats. In December, the king sent Robert Leslie, brother of General David Leslie, to Huntly, with a private commission to levy all the forces in his power for his service, as he intended to make his escape from the Scots army, and go to the north of Scotland. Huntly accordingly did so, and led his army to Banff, which he fortified, and remained there until spring. When the king had surrendered himself to the Scots army, he imagined they would carry him to Scotland, and that if once he were there, the greater part of the nation would declare for him: in this, however, he was mistaken: for he had so often deceived them, that they could no longer trust him.

Dr M'Crie, in his Life of Mr Alexander Henderson, writes, "The Sectarians, who had the chief influence in the English army, which had subdued the king's forces, were ready, upon his rejection of their terms, to have set him aside, altered the government, and the whole state of the quarrel which had been maintained by the united arms of the parliaments. The only measure which promised settlement to the nation, and the restoration of the king to his authority, was his speedy consent to the establishment of the presbyterian reformation, which would secure him the affection and support of the soundest and best part of the nation. That Charles was now disposed to grant this, there was reason to conclude, from his declarations to the Scottish army, and his letters to the parliaments." Mr Henderson was sent to Newcastle, in consequence of the king's desire to treat, or consult with him; but his Majesty signified that he could not in conscience consent to the abolition of episcopacy; and proposed that Mr Henderson should carry on a dispute with some episcopal divines, whose names he gave him in a list. Mr Laing, in his History of Scotland, writes, "With Charles, the divine right of episcopacy does not seem to have been more a matter of conscience than the divine right of kings to govern wrong, without control from their people. The truth is, that as soon as he found himself safe in the Scottish camp, he began to entertain hopes from France,

and particularly from the divisions between the presbyterians and sectarians, which he flattered himself he would be able to manage in such a manner as to obtain his restoration unconditionally, or at least upon easier terms than those now proposed by the parliament. The proposed disputations, and the conferences with Mr Henderson, there is reason to think, were expedients to gain time, rather than means desired for information." Mr Henderson very prudently declined the proposed disputation, as what he had no authority from his constitutents to engage in, and had no reason given him to expect when he was sent for. The Scots were at length under the necessity of delivering up the king to the English; they could not otherwise prevent a rupture with them; their retaining him in England could answer no good purpose; and to bring him to Scotland was to bring a raging pestilence there. The groundless calumny, that they sold him, has been sufficiently exposed by abler pens. The money which was afterwards paid them, was quite unconnected with their receiving or delivering up the king, being what was justly due them for the maintenance of their army while in England; and they delivered him to his own people, when they could not with safety, or to any good end, detain him.*

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* One who cannot be suspected of partiality in favour of the presbyterians, whom he terms *rebels,* writes, "And I must here crave leave to expostulate with our neighbours of England for inveighing so severely against our nation, for delivering up their king; seeing he was only delivered up to their parliament, who first imprisoned, and thereafter murdered him: whereas, how soon our rebels discovered their design, they carried into England a splendid and mighty army for his defence; and when his murder came to their ears, they proclaimed his son their king, and sent commissioners to treat with him, and bring him home to Scotland; and when he was arrived, they did contribute their lives and fortunes for his safety. And albeit some bigoted presbyterians did use him unkindly, out of too much kindness to their own principles; yet even these did very generously oppose Cromwell, and such as had murdered the king; as is clear by the attack made by General Major Montgomery at Musselburgh, and by the remonstrators at Linlithgow." "And so remarkable was our loyalty to the world, and amongst strangers, that his Majesty was always called King of Scots; and it was believed and presumed in all places where our nation travelled, whether in England or beyond sea, that a Scot was still a royalist."—*Memoirs of the Affairs of Scotland by Sir George Mackinzie of Rosehaugh.*

The parliament met in the beginning of the year 1647. Gordon states as follows: "The Earl of Sutherland obtained at this parliament divers acts in his favour; one was for some money that he had disburseed upon his regiment, to be paid to him out of the money addebted by the parliament of England to the kingdom of Scotland; his precept was L.3,000 Sterling. He had another act containing an order to the generals of the army to give him five hundred men upon public charges, whensoever he should call them, to go against the Lord Reay and his partakers, with a command to all the neighbouring shires to join with him. He had a third act against the Lord Reay, his son the master, William Mackay of Bighouse, Hugh Mackay of Dirlet, Hugh Mackay of Skowry, Robert Munro, Hugh Munro his son, Niel Mackay, and Hector Munro of Eribol, excepting and excluding them out of pardon, and forbidding the generals to grant them any passages or remits, until they satisfied the Earl of Sutherland in what he could lay to their charge," (as to the affair of Assint) "and gave him possession of the lands of Strathnaver, and restore all the goods taken out of his country, and give him sufficient caution for the future; reserving also to the Earl of Sutherland all his civil actions against the Lord Reay."

These acts could scarcely have been more severe and rigorous had Sir Robert Gordon himself ordained them; as there is little reason to doubt that he had a prime hand in advising and procuring them. Where now is all his gasconading about the power of Sutherland, when he requires not only his own men and those of other shires, but also five hundred trained soldiers, before he can compel the Mackays to terms: and that, after Lord Reay had been much broken down by accumulated troubles and misfortunes? There were perhaps no private acts passed from the commencement of Charles's reign to equal these in severity. Lord Reay or his friends did very little on the king's side; and for that little, the losses and imprisonment he sustained, were more than adequate punishment. After his releasement, he gave the public no trouble, but lived quietly at home. Some of the lords, however, retained an old grudge at him for Hamilton's affair; and Hamilton had now

submitted, and become a great man in parliament; and therefore no boon would be refused Sutherland, and his prompter, Sir Robert, against friendless Lord Reay. All the honour he had gained to his country in Denmark and Germany, where he ventured both his life and estate, was forgotten. His only crime was his loyalty to his king to whom he felt himself bound by the ties of duty and gratitude, at a time when many wise and good men were at a loss which side it was their part to espouse. He first joined the covenanters, and was at considerable expence in asserting the liberties of the kingdom, until he found that matters wore a more threatening aspect against his king than he had anticipated. He then went to Denmark, that he might have no hand in doing him violence. He returned by England, where he might be better informed as to the state of the quarrel, and its probable issue; nor is it at all surprising that the persuasive and powerful voice of majesty,—and majesty in distress,—should move him to take his part: he did so, and was soon after seized in Newcastle, sent prisoner to Edinburgh, where he remained about sixteen months, and after his liberation went home and lived peaceably. It will be seen,—yes, history sees it already,—that many of those who appeared to be zealous patriots against Charles, were the willing promoters and abettors of worse measures, after the restoration of his son, than ever he attempted; and were busy actors in overturning all that reformation, in the advancement of which they were now so devoutly engaged.

Both Sir Robert and Gilbert Gordon observe silence upon the material fact, that a great part of the lands of Strathnaver, which Lord Reay sold to the Earl of Sutherland, belonged to the heads of the clan Abrach; but they both seem conscious that such was the case. Gilbert says a great deal as to the resistance which Niel Mackay made to the earl's obtaining possession, but assigns no reason for that resistance, though it was such as none could be supposed to make, excepting in defending his own property. Lord Reay was much to blame in selling these lands, which belonged to others: it was both unjust and ungrateful in him to do so: unjust, because the lands were made over 200 years and

upwards before, by his predecessor, Niel-Bass Mackay, as a recompence, and but a small recompence, to his brother, John-Abrach Mackay, for defending the country, while he lay confined in the Bass, which otherwise had inevitably been wholly seized by Sutherland; and ungrateful, because the clan Abrach, a strong-bodied, hardy, courageous, and populous race, who were wardens of the country, defended it on all occasions from encroachments and aggressions by Sutherland and Caithness. The opposition made to Sutherland, in taking possession of that property, was not by Lord Reay, but by Niel Mackay, who was resolved not to part with the inheritance of his fathers, but with his life; nor did he part with it, nor acknowledge Sutherland as his landlord, while he lived. There is some reason to think the family of Murdoch Mackay, the chieftain before mentioned, went to reside on Lord Reay's other lands, where many of them have dwelt until the present age; whereas Niel's principal descendants continued to reside in Strathnaver.

In April 1647, Middleton was dispatched by parliament with an army against Huntly, in order to apprehend him, who, having been apprised of it, betook himself with a few friends to the hills. Middleton pursued him through Glen-Morison, Badenoch, and other places, without effect. He then took in and garrisoned all his castles and fortalices; some of the Gordons were killed, and many of them sent prisoners to Edinburgh, a few of whom were executed. General Alexander Leslie, now Earl of Leven, marched to Kintyre and the isles against Alexander MacDonald. In November, Huntly was apprehended in Strathdon, and sent to Edinburgh. His sons escaped, Aboyn to France, and Lord Ludowick to Holland. Huntly was detained in the tolbooth of Edinburgh until August 1648-9, when he was removed to the castle, where he remained till March following; and, on the 22d of that month, he was beheaded at the market-cross. Aboyn died in France some months before. Though, like his predecessors, when reformation was in progress, he espoused the wrong side, yet Huntly was all along firm and consistent, and not like many of his contemporaries, who changed with the times. He was executed upon the sentence of forfeiture and treason, passed against him

in the year 1644. Many voted for a new trial, but that was negatived by a majority.

The Earl of Sutherland having got all his matters before parliament to his mind, returned home in May: Lord Reay and his son, the master, hearing of this, and what had been done against him in their absence, went to call on him, with the view, if possible, to have their affairs adjusted: but he refused to enter upon any negociation until Sir Robert was present. In August the earl sent Sir Robert, Sir James Fraser, Sir John Sinclair of Dunbeath, Robert Munro of Obistell, and John Munro of Lumlair, to meet with Lord Reay and his son at Lairg. As the latter were now so much at Sutherland's mercy, the terms they were advised to offer were, 1*st*, That Lord Reay and his friends should acknowledge that they had wronged the earl, and give it under their hands that they would not repeat such in time coming. *2nd*, That they should give him peaceable possession of the lands of Strathnaver, and sign a blank bond for the bygone rents thereof, to be filled up by the earl at his pleasure. *3d*, That they should restore half of the goods which had been taken from his tenants, the other half having been consumed. 4*th*, All questions between Lord Reay and the Grays should be referred to arbiters. *5th*, Lord Reay should deliver up all such persons as had molested the earl, to be punished at his pleasure, excepting those whom Lord Reay should confess had been sent by himself, for whom his own acknowledgment should be sustained. And, *lastly*, That Reay and his friends should find security for their observance of these terms, under the penalty of L.40,000 Scots. These offers having been sent to Sutherland, he insisted that, before his closing with them, he should get possession of the lands of Strathnaver; have the offenders of the clan Abrach, whose names he would set down in a list, delivered to him; and be put in possession of the proposed security. A new diet was appointed, and a day named for finding the security.

One of these terms in particular was apparently impossible to be complied with, namely, the delivery of Niel Mackay, and others of the clan Abrach. Lord Reay, on the one hand, was not accessory to any offence,

if offence it was, done by Niel and that clan; and, on the other, it was not in his power, without some foreign aid, to deliver them: besides the delicacy of giving them up to be punished for defending their own property which he unjustly sold. On this and some other accounts, Reay was tardy in fulfilling the proposed terms: and therefore Sutherland wrote to General David Leslie to come and invade the Reay country, agreeably to the order of parliament. Leslie, in return, wrote Sutherland that he trusted his cousin, Lord Reay, would give him satisfaction, and that he should make it his last resource to push matters to such an extremity against him. Gordon says, "This he (Leslie) did in regard of his obligation to the Lord Reay, under whom he had served in the wars of Germany. He did also write to the Lord Reay, desiring by all means to settle with the Earl of Sutherland, else that he would be forced to cause invade him and his country with an army."

Impatient of delay, and no doubt spurred forward by Sir Robert, finding also that Leslie would rather decline the service, Sutherland wrote to General Middleton to send an army to invade Lord Reay, who immediately ordered Colonel Campbell, with several companies of soldiers from Inverness and its vicinity, to march forward to Sutherland. On their arrival, the earl convened all the inhabitants of Sutherland, who, together with the soldiers, advanced in a huge body towards Strathnaver, and encamped at Rosshall, about the middle of the strath, where the ground is elevated, and commands a view of nearly the whole of it. Lord Reay, together with his son and several gentlemen of the country, met them there, upon which a final agreement was entered into; the tenor of which was, that Reay subscribed a submissive letter to Sutherland, promising not to offend him in like manner in future; possession of Strathnaver was immediately given; Lord Reay and his friends granted a blank bond to the earl for the rents; and he and his son gave bond for 100,000 merks Scots, in pledge for their future peaceable behaviour, containing a warrandice on their lands of Kentail. Each of his friends granted bond for 10,000 merks Scots in security for their after good conduct; and sundry persons, who had not appeared there, were

promised to be given up to Sutherland. This agreement took place in October 1647. Lord Reay then accompanied the earl to Dunrobin.

"The Lord Reay," says Gordon, "stays with the Earl of Sutherland the next ensuing winter. Sir Robert Gordon is written for to come out of Murray to perfect this agreement. In January 1648, all things are ended and subscribed between them. The Lord Reay, his son and friends, gave bond to the Earl of Sutherland, and to Robert Gray, for payment of certain sums of money for their losses. The Lord Reay and his son dispones the woods and fishing of Arunsary, the lands of Rhenevy, and some other grazings in Strathnaver, which lay convenient for the earl's lands there. Some malefactors are delivered to the earl, to be punished at his pleasure; and the master of Reay promiseth to exhibit Niel Williamson (Mackay), and to put him in the earl's will. This being now performed, and what else was done at Rosshall being enlarged and subscribed by the Lord Reay, the master his son and his friends, the earl delivered the blank bond to Lord Reay which was subscribed at Rosshall for money, that the same might be cancelled and destroyed. Farther, the Earl of Sutherland confirms the master of Reay in the lands of Kentail and Strathnaver, which were not formerly disponed to himself. He gives a free discharge to the Lord Reay, and the master of the feu-duties of Durness, and of all actions of ejection and spulzie, and whatever else he had obtained against them; and he writes to the estates of parliament, and to the assembly of the church, that they had given him satisfaction. So they were reconciled without one drop of blood, beyond the expectation of all men; only Niel Williamson (Mackay) stood out, and possessed violently the lands of Loch-Naver." Considering all circumstances, and how much the earl had Lord Reay in his power at the time, this conclusion of the business was perhaps pretty fair on his part: but he at length got the honeyed mouthful, which both his father and he had so much, and so long yearned after.

One is at a loss to know what concern the general assembly had with these matters. It appears that a complaint had been before the assembly 1647, against Lord Reay, his son, and some of his friends, which that

assembly referred to their committee.* The grounds perhaps were, Lord Reay's joining the king, his son's harbouring Huntly, and they and their friends otherwise remaining neutral, after having sworn and subscribed the covenant. But none of these grounds had any connection with Sutherlands' private affairs, so as to warrant the assembly's interference. It would seem that the committee had either dropt the matter, or received satisfaction; for their case does not appear to have been before any other assembly. The Earl of Seaforth was, by assembly 1646, ordained to be excommunicated; among other reasons, "for entering into and subscribing a wicked bond, made and contrived in the north, under the name of *An Humble Remonstrance,* against the national covenant, and the league and covenant of the three kingdoms; and actually joining himself and his forces with that excommunicate rebel, James Graham, and these unnatural bloody rebels his followers, who did beleaguer Inverness, a town garrisoned by the estates for the defence of that part of the country, notwithstanding of his having previously sworn and subscribed the covenants; and been entrusted by the estates with ample commission, and encouraged, and enabled for discharging thereof, with money, ammunition, and arms to a good measure."† But nothing of these was alleged against Lord Reay.

In the year 1648, the greatest of all the public evils of those times, both as to its nature and consequences, took place, known by the name of *Hamilton's Engagement.* Hamilton, now created a duke, who had, on returning from his confinement in England two years before, sworn and signed the league and covenant; and afterwards, by his pretended zeal for religion and the liberties of his country, deceived many, and gained their countenance and esteem, made up a strong party in Scotland. He procured a majority in parliament, to vote a declaration of war against England, in order to liberate the king from his captivity in the Isle of Wight, and restore him to his throne and royal dignity, un-

* Index to unprinted Acts of Assembly. † Acts of Assembly.

der pretence that he would readily consent to the establishment of all measures, both ecclesiastical and civil, that had hitherto been gone into in this kingdom, agreeable to the concessions and offers he had sent to Scotland from that place of his confinement. The wisest and most discerning members dissented; and the whole clergy, first the commission, and afterwards the assembly, remonstrated against this declaration of war, as unlawful and unnecessary. Some of the reasons were, that they had no guarantee for the king's fidelity, who had so often deceived them; that in his concessions and offers, he did not bind himself to disallow prelacy, with concurrence of the estates, to be the national religion; but on the contrary, had recently declared publicly, that he held himself obliged in conscience, and by his coronation oath, to maintain archbishops, bishops, &c.; that prelacy was the ladder employed to ascend to arbitrary power, which being again restored, would go to destroy all that had been done in the cause of liberty, at the expense of so much blood and treasure; that all the patriots in Britain were against the engagement; that, more particularly, to invade or fight against England, in such circumstances, was adverse to the original and true state of the quarrel, and to the solemn league entered into by the three kingdoms, to maintain and defend their civil and religious liberties: at the same time they were decidedly in favour of kingly government, and for the support of the king's just power and greatness. The worst of the evils which were now said should be the consequence of the re-establishment of prelacy, were fully realized after the restoration.

Both the Generals Leslie and Holborne, with many other officers of different ranks, refused to take any part in the engagement, and the kingdom in general was backward and slow in furnishing troops and necessaries. The Earl of Sutherland, who had all along been on the right side of the question, maintained his ground at this time also; for he refused the command of the division he formerly held, and to which parliament had now appointed him. He was, however, so far faulty in not attending at that parliament, and using his endeavours to counteract the injurious measures of the duke and his party.

The month of August had arrived before Hamilton marched to Eng-

land, which greatly weakened and disheartened the king's friends there. Middleton joined him and had command of the horse: his army amounted to 20,000. Hume admits, that though he openly protested that the covenant was the foundation of all his measures, he secretly entered into correspondence with the English royalists, Sir Marmaduk Langdale, and Sir Philip Musgrave, who had levied considerable forces in the north of England; and that while he was in Scotland he would not allow the royalists there to join him, lest he might give offence to the ecclesiastical party; though he secretly promised them trust and preferment as soon as his army should advance into England. His perfidy, however, received its merited reward: upon the 17th of August, at Preston in Lancashire, he was most shamefully routed by 8000 men under Cromwell; taken prisoner, brought to London; and upon the 9th of March following, after being proceeded against as a subject of England, where he had considerable property, he was beheaded. Middleton also was taken prisoner, but he escaped narrowly to Scotland, to which it would have been a blessing had he shared Hamilton's fate.

"The Lord Reay," says Gordon, "perceiving the divisions in church and state, and that Duke Hamilton's faction was so strong and prevalent, from whom he did expect no favour, he took shipping at Thurso, in July this year, (1648,) and sailed to Denmark to seek his fortune in that kingdom, where he had formerly done good service, leaving the government to his son the master." It was not to seek his fortune, for which he was too far advanced in life, and his constitution impaired; but to be distant from his enemies, and the public strife whereof he was extremely sick, and which had added greatly to his other losses, vexations, and disappointments; and to enjoy the society of old and trusty friends, the grandees of Denmark, by whom he was held in high esteem. The Danish king, his former master, appointed him governor of Bergen, and colonel of a regiment, both of which he retained till his death.

Scotland was lamentably divided and distressed in consequence of Hamilton's engagement. Chancellor Loudon, Eglington, Cassillis, and other dissenters, in the west, assembled forces to the amount of 10,000,

and marched to Edinburgh, the command having been given to the two Leslies, upon which Hamilton's faction left the city in confused haste, and fled to Haddington, and from thence to Berwick ; but having learned that Argyle and his men were on their way to join the dissenting lords, and fallen in with General George Munro who had arrived with his forces from Ireland with the intention of joining Hamilton, but had come too late, Crawford, Drumlanrig, and Glencairn, prevailed with him to assist them in intercepting Argyle ; they came upon him suddenly at Stirling, and killed some of his men, himself narrowly escaping. He soon thereafter repaired to Edinburgh to his dissenting brethren, who constituted themselves into a parliamentary committee. The other party, having taken up their station at Stirling, pursued a similar course. During these confusions the Earl of Sutherland was active in preventing the three most northern counties from taking any part with the Hamiltonians. The dissenting lords sent proclamations through the kingdom, prohibiting any obedience to be given to the other party under the highest pains, and they appointed a parliament to meet at Edinburgh in January following.

After Hamilton's defeat, Cromwell marched into Scotland with 4000 horse, under pretence of pursuing the fugitives, but more truly, in order to pry into the state of the kingdom, in consequence of which, both parties judged it proper to drop hostilities, and accordingly agreed to disband their forces, and refer all differences to the parliament, to meet by appointment of the dissenting party ; upon which Cromwell returned to England.

In November, the Earl of Sutherland sent his chamberlain to collect the rents of Strathnaver, and as he expected opposition from Niel Mackay with regard to the rents of the lands round Lochnaver, the chamberlain was furnished with a strong party from Sutherland. They met with no obstruction from the other parts of the strath ; but when they came to demand the rents of the Lochnaver lands, and attempted to seize the cattle, that demand being refused, Niel set upon them, and not only made them desist, but took from the chamberlain all the

money he had collected. About a dozen of the Irish who had been with Montrose, and were then in that neighbourhood, came to Niel's assistance. Though the master of Reay had no concern in this business, yet the Earl of Sutherland charged him with it, and having gone to Edinburgh, laid his complaint before parliament. At his request a company consisting of a hundred soldiers were ordered to be garrisoned in the most convenient place of the Reay country, to be maintained at the public expence. All those acts obtained by Sutherland against Reay, seem to have been destroyed or lost, as nothing of them appears on the records but their titles. Those soldiers, accompanied by a party from Sutherland, made frequent excursions in pursuit of Niel Mackay; but he always disapppointed them, and often concealed himself in a cave in the most remote place of the Reay forest, which to this day is called, "*Uaidh Nail,*" i. e. *Niel's cave.* It lies in the side of a mountain, scarcely perceptible, and so narrow at the entry as only to admit of one on all fours, but so roomy within as to contain a great number of men, and admitting air at the top through a cranny in the rock.

The tragical death of King Charles took place on the last day of January 1649. The kingdom of Scotland unanimously abhorred this deed, as well as the changing of England from a kingly to a popular, or rather to an anarchical and military, government. The Scottish commissioners, who were then at London, protested against both, and entered there protest on record.* Immediately on the report of the king's

* These commissioners, Lord Lothian, Sir John Chiesly, and William Glendoning, in their letter to the English parliament, dated 6th January 1649, desire, in name of the Scots parliament, "That there may be no change of the fundamental government; and that there be no harm, injury, or violence offered to his Majesty's person; the very thought whereof the kingdom of Scotland hath always abhorred, as may appear by their proceedings and declarations; and the houses of parliament have, upon several occasions, expressed a detestation thereof in their declarations."

In their protestation against the measures carrying on by that parliament, dated 22d January 1649, after mentioning that England and Scotland had unquestionably a joint interest in the king's person, and that therefore no proceedings against him should obtain "but by the free counsels of both houses of the parliament of England, and the advice and consent of the parliament of Scotland;" they go on to say, "But we understand, that,

execution reaching Edinburgh, the parliament proclaimed Prince Charles king, under the designation of CHARLES THE II.; and sent commissioners to treat with him at the Hague, for security of religion and

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after many members of the house of commons have been imprisoned and secluded; and also without and against the consent of the house of peers, by a single act of yours alone, power is given to certain persons of your own number, of the army, and some others, to proceed against his Majesty's person; in order whereunto, he was brought upon Saturday last in the afternoon, before this new extraordinary court. Wherefore, we do, in the name of the parliament of Scotland, for their vindication from false aspersions and calumnies, declare, that though they are not satisfied with his Majesty's concessions in the late treaty at Newport in the Isle of Wight; and are resolved not to crave his Majesty's restitution to his government, before satisfaction be given by him to his kingdoms; yet they do all unanimously, with one voice, not one member excepted, disclaim the least knowledge of, or accession to the late proceedings of the army here, against his Majesty; and sincerely profess, that it will be a great grief unto their hearts, and lie heavy upon their spirits, if they shall see the trusting of his Majesty's person to the honourable houses of the parliament of England, to be made use of to his ruin; so far contrary to the declared intentions of the kingdom of Scotland, and solemn professions of the kingdom of England. And to the end it may be manifest to the world, how much they abominate and detest so horrid a design against his Majesty's person, we do, in the name of the parliament and kingdom of Scotland, hereby declare their dissent from the said proceedings, and the taking away of his Majesty's life; and protest, that as they are altogether free from the same, so they may be free from all the evils, miseries, confusions, and calamities that may follow thereupon to these distracted kingdoms."

Upon the 24th February, they presented their last paper, in which, amongst others, they desire, "That there be no change of the fundamental constitution and government of this kingdom, (England) by king, lords, and commons; and that there may be nothing done which may wrong King Charles the Second, in his succession, as righteous heir of the crown of these kingdoms," &c.

"26th February 1648-9. Ordered by the commons assembled in parliament, that the Lord Lothian, Sir John Chiesly, and Mr Glendoning, commissioners of the kingdom of Scotland, shall have a guard set upon their lodgings, to secure them, and also restrain them from communication with any, by whom the sedition contained in their papers, dated 24th February 1648-9, might be promulgated, and that none be suffered to have access to them, or to pass out from them, but for their supply with necessaries during their abode here. (Signed) HEN. SCOBELL, *Clk. Parl.*"

"Upon this order, Colonel Harrison gave warrant to Captain Sexby, who committed them, and Mr Robert Blair, minister of St Andrews, and commissioner for the kirk of Scotland, close prisoners in the block-house at Gravesend; and after their restraint several days, they were sent with a guard of a troop of horse, commanded by Captain Dolphin, to Berwick, there to be detained, unless the states of Scotland did own their

the liberties of the country: but they returned without receiving satisfaction: and so matters lay over till the following year.

"In February 1649," says Gordon, "Donald Mackay, Lord Reay, having retired to Denmark, died in that kingdom; his body was carried back again into Scotland, and buried at Kirkiboll with his predecessors." Not buried, properly speaking, but laid in the family vault, where his large bones are still seen. "He was a man of quick wit, and speedy resolution, and of divers able qualities: but these good parts were suppressed by his evil inclination:—a great dissenbler, and much given to lust." "A great dissembler," he says. The assertion seems to to be unfounded or exaggerated. He had been so often circumvented, and so much injured by Sir Robert, and through him by this Earl of Sutherland and his father, that he, or any in his circumstances, could not be over-cautious in dealing with them; and that caution Gordon appears to have mistaken for dissimulation. His high spirit, courage, liberality, and the high esteem in which he was held by kings, nobles, and warriors abroad, and at home too, but for the accidental affair with Hamilton, into which his loyalty led him, seem to exclude the ideas of his being a dissembler or evil inclined. He was the first who introduced the protestant religion into his country, and by that and other means did much to civilize his people: so that they were nothing behind their neighbours, and before many highland districts. He was too liberal, if not prodigal, which, together with his great losses, and the advantages taken of him by his uncle, mightily curtailed the noble estate his father left him, and greatly burdened the residue. He died in his fifty-ninth year. He was not improperly termed *Donald Duaghal:* for he was indeed *a man of troubles.*

He had five wives; 1*st*, Lady Barbara Mackenzie, Lord Seaforth's daughter; issue by her, four sons, Iye, John his successor, Hugh, and

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proceedings: and the states of Scotland having owned their letters, declarations, and protestations, they were dismissed at the Bound Road."—*Letters, &c. by the Scots Commissioners residing at London, reprinted* 1660.

Colonel Angus of Melness; and two daughters, Jane and Mary. Iye and Hugh died young; Jane married the second William Mackay of Bighouse, and Mary married Sir Robert M'Leod of Talisker in Sky. *2nd*, Lady Mary Lindsay, daughter of the Earl of Crawford: issue, a son, Donald of Dysart. *3d*, Rachel Winterfield: issue, a son, Donald. *4th*, Elizabeth Thomson: issue, a daughter, Ann, who married Alexander, brother of Sir James Macdonald of Sleat. *5th*, Marjory, daughter of Francis Sinclair of Stircoke:* issue, three sons, William of Kinloch, Charles of Sandwood, and his twin brother Rupert who died without issue; and two daughters, Margaret, who died at Thurso, May 1720, and Christian.†

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* An invidious report had gone abroad that this lady was not married to Lord Reay, which there is sufficient evidence to show was a mere calumny. Majory Sinclair was cousin of the Earl of Caithness, and consequently of higher rank than either Rachel Winterfield or Elizabeth Thomson; and Charles and Rupert, her sons, were named, the former for the king, and the other for the prince, which it would be absurd to suppose should obtain if they were illegitimate. Besides these proofs, grounded on apparent presumption, the following documents are extant, which will be introduced according their dates.

8th May 1672. A bond of this date, bearing to have been written by the granter, proceeds thus: "Be it kend till all men be y^r p^nts wh^rs I Charles Macky, broy^r-german to y^e Lord Reay, grant me to be justlie restand and adebtir to David Murray of Clarden all and haill y^e sowme of sevin hundir thrie score fiftin merks Scots moies, &c."—*Commissary Records of Caithness.*

A sasine, upon a wadset disposition dated at Durness 1st May 1674, granted by John Lord Reay in favour of his brother Charles, contains the following words: "Compeired personallie an honourable man maister Charles Mackye brother-german to ane noble lord John Lord Rae upon the ground of the lands and oy^rs under written haveand and holdand in his hands," &c. "the easter half davoch land of the town and lands of Eddinmoar Letter-Rinny and the lands called the Loan."—*Particular Register of Sasines for Sutherlandshire*, Fol. 335.

Sasine upon a contract of wadset, in favour of William Mackye, brother to "the Lord Reay, of the town and lands of Keanloche," dated the 4th, and recorded the 8th July 1676. —*ibid.* Fol. 408. In the minute-book his lordship is by mistake designed "the Laird of Reay," but in the register his proper title is given him.

† Margaret, and Christian, and Donald of Dysart, are mentioned in a MS. of some of the family of Reay, by John Mackay of Tordarrach, who was born in 1704, and died in 1768. This MS. is in possession of John Mackay of Rockfield, Esq.

CHAPTER XI.

JOHN, SECOND LORD REAY.

1650—1687.

He was left by his father much involved in difficulties, and the times were exceedingly troublesome and critical. The young king, and such of his party, Hamilton, Lauderdale, and others, as had either fled or gone to Holland, were keeping up correspondence with their friends in Scotland, with the view of having him brought home without any terms; they also held communication with the queen his mother, and Montrose, who were in France: and among many others, they corresponded with Seaforth, and his brother, Thomas Mackenzie of Pluscardin, uncles of Lord Reay. General Middleton and others had changed sides, and gone to the king's party.

Thomas Mackenzie, Sir Thomas Urquhart of Cromarty, Colonel John Munro of Lumlair, and Colonel Hugh Fraser, having received information that orders had been issued by parliament to apprehend them, they assembled their friends and dependants, and, in February 1649, assaulted and took Inverness, expelled the garrison soldiers, and demolished and razed the walls and fortifications of the town. General David Leslie having been directed by parliament to suppress them, they, on his arrival, fled to the mountains of Ross. In the meantime Leslie being informed that an insurrection had been made by Lord Ogilvy, Middleton, and others in Mearns, Angus, and Athole, he made up matters with Urquhart, Munro, and Fraser, dividing them from Mackenzie; and having garrisoned the castle of Chanory to watch the latter and his adherents, he pursued the insurgents, who fled from him in all directions.

During Leslie's absence, however, Mackenzie retook the castle of

Chanory, and dismissed the soldiers who had kept it; he at the same time wrote his nephew, Lord Reay, to come to his assistance, assuring him he had the king's commission to rise in arms, which, most likely, he had, though Gordon says it was not the case. He also says, "The Lord Reay obeys, and comes to him with three hundred able men, well provided with arms and other necessaries." Their combined forces were from eight to nine hundred; and they were soon after joined by Ogilvie and Middleton, who having assured them of many more forces upon their marching south, they proceeded to Badenoch, where they were joined by the young Marquis of Huntly.

Leslie having returned from Athole, he divided his strong army, with part of which he marched to Badenoch, and the residue he gave in command to Ker, Halket, and Strachan, sending them north to prevent the king's party from returning to Ross. Leslie, to guard against their proceeding to Athole, turned southward to Glenesk; upon which Huntly, Reay, and Ogilvy marched down Spey-side to Balvainy. Huntly sent his brother, Lord Charles, towards Enzie to procure some horse; and in the interim Mackenzie and Middleton went with a troop of horse to treat with Leslie for a reconciliation.

"But before Middleton could find David Leslie," says Gordon, "Ker, Halket, and Strachan do march with their troops in all haste from Ross, and coming through Murray, they take some of the country gentlemen with them, and speedily cross the river Spey. They apprehend the enemy's watches early by break-of-day; they surprise Reay and the foot forces at the castle of Balvainy, the 8th day of May 1649; they take him, and almost all their foot to the number of nine hundred, Mackenzies, Mackays, and Badenoch-men; they killed about four score before they were taken. The Marquis of Huntly and Ogilvy escaped, having their quarters at the church of Mortlach, about a mile from Balvainy castle. Ker directs all the foot home into their own countries, taking their oaths to keep the peace in time coming. He directs Reay to Edinburgh, with ten more of his kin and friends. Mackenzie of Redcastle, and some other prisoners of his sirname, were sent to Edinburgh

with the Lord Reay, and were all put close prisoners in the tolbooth of Edinburgh. Hugh Mackay of Skowry, whose daughter Reay had married a little before, was licensed to go home with Lord Reay's men. Huntly, Ogilvy, Middleton, and Pluscardin, made their reconciliation with David Leslie, giving security for keeping the peace from henceforth: so they all dissolved, and every man returned to his own house, leaving the Lord Reay to suffer for the rest." A parcel of base scoundrels! The most innocent of the whole suffered, and the guilty escaped. Such usually is the conduct of partners in a bad cause towards each other. Those Lords Reay, father and son, were unhappy in having perfidious uncles. One of the charges afterwards laid against the Marquis of Argyle, was, that in May 1649, he had signed a warrant for a proclamation against Huntly, Ogilvy, Reay, and Middleton, declaring them, their wives, and families, to be out of the protection of the kingdom.

Though little better might have been expected at the hands of those abettors of tyranny and licentiousness, such partiality was detestable in them who professed to be reformers of all civil and religious abuses. Lord Reay was by far the least blameable of the whole: he was enticed by his uncle, Pluscardin, to take up arms, under an assurance that he had the king's commission, and that it was in defence of his title to the crown. His uncle and Middleton had treacherously changed sides, while he lay peaceably at home for several years before; and if he, about eleven years back, deserted the good cause, it was by the advice of his father: and Huntly was pursuing the same course in which his father had very lately lost his head. Ogilvy appears to have been all along on the wrong side. But this partiality afterwards met with its reward, when Middleton was let loose as a scourge to those selfish reformers, and to the kingdom.

After this service done by Colonel Ker, he returned to Ross, took and demolished Red Castle, and executed some of its keepers; he garrisoned Seaforth's castle of Braan, and other strengths in that county, and then returned to Angus to join Leslie. It is but justice to him to say, that this Colonel Ker was, for piety and other good qualities, much su-

perior to almost all his military contemporaries, and indeed to the far greater part of the rulers and great men of that period. The celebrated Mr Samuel Sutherford wrote him several letters in the years 1650 and 1651, wherein he addresses him, "The much honoured and truly worthy Colonel Gilbert Ker."

Some time in this year 1649, Niel Mackay, so frequently mentioned, went to Caithness with a few attendants, to pay a visit to Sir James Sinclair of Murkle, and some other friends. He was followed to the town of Thurso by an Irish captain, named Donald-Macallister Mullich, a powerful, ferocious man, who had lately been engaged in the king's service under Montrose, and those Irish who had before assisted Niel in deforcing the Sutherland party. Donald considered himself entitled to demand a contribution from the inhabitants wherever he came, for himself and his men. Finding the people of Thurso refractory, he resolved on revenge, and took his opportunity on a Sabbath, while they were at church attending Divine service Some one having said to him that he should have respect for the Sabbath, and for God's ordinances, the savage replied, "*Ca bol le Dia agus en-donnich, dorsti Donil fuil,*" i.e. *In defiance of God and the Sunday, Donald will spill blood.* The inhabitants flew to their arms, and not only assaulted Donald and his men, but set upon Niel and his few followers, who were at the time in a house at a considerable distance from the church, and knew nothing of what was going on. As it was believed that Donald was proof against lead, Sir James Sinclair's servant plucked a silver button from his master's coat, with which he shot Donald through the ear. The latter exclaimed, "*Hout, em bodach e bhor e mi!*" i. e. *Hout, the fellow he has deafened me!* While the fray was going on, Sir James, who was alarmed for his friend Niel, called aloud, "Let no man touch Niel Mackay:" but being told that he was killed already, he said, "Then spare none." The Highlanders and Irish, in number about twenty, were all killed. The last two were slain at Scrabster, half a mile west of the town, and large stones fixed in the place, which the author saw dug up; and he also saw the bones of all of them, excepting Niel, at the principal entry to the

church, where they had been buried.* Sir James Sinclair greatly lamented Niel's death, and had his remains honourably interred in his own burying-ground, opposite to the Murkle aisle of the church, and placed a stone on his grave, with his arms cut on it, which stone is still to be seen, but the ciphering is almost effaced. With this Niel ends the chivalry of the long-famous clan Abrach. Niel his son made frequent excursions in pursuit of the man who killed him, but he always eluded him, and at length fled the country.† It is a common saying in the Reay country to this day, as has been formerly hinted, that this Niel was the only chief of the Mackays whose slaughter ever went unrevenged. It appears that Niel his son betook himself to Lord Caithness for support; for in the inventory of Caithness writs, this article is inserted, "Bond of manrent, Niel Mackay son to umq^{ll} Niel Mackay, to George Earl of Caithness, 1650."

In summer 1650, the parliament sent commissioners the second time to treat with the king, who was then at Breda. The commissioners for the state were, the Earls of Cassilis and Lothian, Alexander Brody of Brody, George Windram, John Smith, and Alexander Jeffrey; and for the church, Messrs James Wood, John Livingston, and George Hutchison. Mr Livingston gives a narrative of the treaty. He was, at the beginning averse to his appointment for various reasons, particularly the reports he had heard of the king; the character of some of the state commissioners; his sad apprehensions as to the result, and his own natural facility. With reference to his having been urged by some of his brethren to undertake the duty, he states, "One word I foolishly spoke

* A grinder-tooth was lately extracted from one of the sculls. It is an inch broad, and half an inch thick at the solid and fork; and an inch and a half deep, five-eighths of which were in the jaw. It is now in possession of Mr John Mackay, merchant in Thurso, who drew it out of the scull.

† This Niel afterwards killed James Sinclair of Borlum, who had been concerned in his father's slaughter. It was subsequently alleged, as shall appear, that Niel the father, had gone to Caithness with hostile intentions; but this is contradicted, both by the respect paid to his remains by Sir James Sinclair of Murkle, and by the friendly transaction that took place a few months after, between Lord Caithness and Niel the son.

then to them, which many times thereafter met me, that ere I should condescend to go, and to have an hand in the consequences that I apprehended should follow, I would choose rather to condescend, if it were the Lord's will, to be drowned in the waters by the way." He had no objection to Cassilis, Brody, or Jeffrey, but placed very little confidence in Lothian, Windram, or Smith. These three, by a court trick, procured Cassillis to be chosen president; and thereby, as they agreed in every thing, they carried all matters their own way during the negociation, by out-voting the other two, Brody and Jeffrey, the preses having had no vote, as there was not an equality. They acted contrary to their instructions, in most of the principal matters which had been committed to them; Lothian and his two coadjutors alleging, that they had private instructions to sanction their proceedings. The time allowed by parliament for concluding the treaty had expired before any article was agreed on. Hamilton, Lauderdale, and others, whose return was prohibited, accompanied the king and commissioners to Scotland; and James Dalrymple, the commissioners' secretary, having been dispatched to Scotland with the treaty, for the parliamentary sanction to it, new instructions were transmitted, with peremptory orders to have them complied with, otherwise the treaty should be null and void; but the commissioners paid no regard to these, and sailed for Scotland, without pursuing matters farther, taking all responsibility on themselves. "I was dissatisfied," says Mr Livingston, "with the whole management of the treaty, for it seemed rather like a merchant's bargain, of prigging somewhat higher or lower, than ingenuous dealing; and so far as could be discerned, the king granted nothing, but what he was in a sort compelled to; and which, if he had had his full freedom, he would not willingly have granted, which possibly was the fault of those that were about him, rather than his own." Mr Livingston had refused to accompany the king, and those he brought with him contrary to the mind of the estates. "Brody and Jeffrey said it were to be wished they had staid ashore, but as matters now stood, it was best to go aboard and discharge their trust in the last instructions from the parliament; Mr George

Hutchison inclined to the same. For my part, I said I had no light nor inclination to go aboard: I thought, in regard to the profane, malignant company, and in regard how matters stood in the treaty, we were taking along the plague of God to Scotland, and I should not desire to go along, but would go back to Rotterdam, and come with the first conveniency." He was brought on board, however, and detained by a stratagem.

Previous to the commencement of the treaty, the king had sent Montrose from Holland loaded with titles, of James Marquis of Montrose, Earl of Kincairn, Lord Graham, Baron of Mugdock, Knight of the most noble order of the Garter, Lieutenant-Governor and Captain-General of the kingdom of Scotland, &c. He was accompanied, amongst others, (Wishart, who wrote his life says) by James Crichton, Lord Frendraught; General Urrey, a man who engaged in all quarrels, but never prospered in any; Colonel Johnston a resolute old soldier, Colonel Gray a German officer, Henry Graham the Marquis' own natural brother, Colonel James Hay of Naughton, Sir Francis Hay of Dalgety, and George Drummond of Balloch. The greater part of the common soldiers who adventured with him were from Holstein and Hamburgh. The Queen of Sweden furnished him with 1500 stand of arms, complete for horse, consisting of back, breast, and head pieces; carabins, pistols, and swords, all which were taken unused after his defeat. He sent off from Holland about a third part of his army in two vessels, directing them for Orkney, but they were all lost in a storm among the islands. He thereafter sent another party, who landed safely in Orkney; and lastly he landed there himself, in September 1649, with the residue of his foreign troops. William Douglas, Earl of Morton, who then possessed the earldom of Orkney, rendered his assistance to Montrose in furnishing him with men from the islands, and in maintaining his army while they continued there; which maintenance, it is stated in a declaration by James Butter, who was commissary-depute, sheriff-clerk, and sheriff-depute of Orkney for the years 1648, and till July 1651, made by order of the council of Edinburgh, was chiefly furnished from the rents of the bishopbric, "for

the Earl of Morton," says he, "had given orders that no part of the rents of the earldom should be meddled with till first the rents of the bishopric for the crops 1643—1649 were fully uplifted by the soldiers." But in a petition presented by the gentlemen of Orkney to Lord Morton, 9th October 1662, which is inserted in the county records, it is stated, "That in the year 1649 and 1650, they did, for the space of seven months, quarter and maintain his Majesty's whole forces under the command of the renowned late Marquis of Montrose; and when his excellency advanced from Orkney to Caithness, they did outrig 2000 effective well armed men, with their levy and transport money, with their officers under command of his excellency; besides considerable sums of money, your lordship's petitioners did then cheerfully advance to Sir William Johnston, whom his excellency did commission to be governor of Orkney after his departure." They further state, "That they were the only shire in Scotland that advanced his Majesty's service under the Marquis of Montrose. That the whole heritors within this shire were at the charges of a whole year's rent by the quartering and outrig of the forces; and that besides the loss of near 2000 commons in that service, there was almost no gentleman's house in this country but lost either a son or a brother."

William, Earl of Morton, died in November 1649. The Earl of Kinnoul died in Orkney soon after, and was succeeded by his brother, who was there with Montrose. They remained in Orkney till April 1650, when Montrose collected all the boats that could be found amongst the islands for transporting his army. They embarked at Holm, at the south-east part of the mainland, and arrived in a few hours in Caithness, having landed at Duncansbay. A terrible alarm being soon spread, Sir John Sinclair of Dunbeath posted to Edinburgh to inform the estates, leaving his castle to be kept by his lady and servants. Hugh Mackay of Skowry, Hugh Mackay of Dirlet, and Alexander Sinclair of Brims came to Montrose and offered their services; and having understood that his intention was to march by the coast of Sutherland, the Mackays advised him against that route, both on ac-

count of the obstructions he should meet with from the four ferries, or arms of the sea, which lay between him and his friends; and the advantage the enemy's cavalry would possess on the lower grounds; the Earl of Sutherland and a great part of Ross also being opposed to him. They therefore recommended that he should march by the heights of Strathnaver and Sutherland, where the grounds were inaccessible to horse, and where he could secure himself to greater advantage until the Mackenzies and other friends could join him. He however declined taking their counsel, probably from a fear that his foreign and Orkney troops could not endure the fatigues and privations necessarily attending a march through those trackless and rugged wilds; but really because an unavoidable fatality was impending over him. He directed the Mackays and Sinclair to raise all the men they could in Caithness and the Reay country, and to proceed with them through the mountains, as themselves had mentioned, and that his brother, Harry Graham, should follow them with such Caithness-men as he could muster; while he with his army should march by the coasts of Caithness and Sutherland. The Mackays and Sinclair, apprehensive of what would be the issue, took no more concern in the business. In course of that year Hugh Mackay of Skowry was by Parliament appointed colonel of his countrymen.*

Wishart writes, "In the meantime the marquis advanced but slowly; and that his designs might not be mistaken by the world, who were all much astonished at this invasion, at a time when the king was upon a treaty with his subjects, he published a declaration, wherein he laboured to clear himself from the aspersion of having any sinister ends; that his intention was only against some particular persons, who had, contrary to the laws of the kingdom, raised and maintained a war against the king's father, and were now by their subtile practices endeavouring to destroy the son also; but that he intended nothing against the generality of the kingdom; and exhorted his fellow-subjects to free

* Scots Acts of Parliament 1650.

themselves from the tyranny of those who for the present ruled the state, and from the oppression of the ministry." He presented certain articles consistent with this declaration to the heritors, ministers, and others in Caithness, which he persuaded them to subscribe,* excepting Mr

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* The presbytery record of Caithness contains the following minutes: "*Thurso, 5th October* 1654. It wes thoght covenient that y^r^ suld be more frequent meetings both of min^rs^ and preachers for consulting about y^e^ affears of y^e^ gospel w^t^in y^e^ several cogregatios till the Lord by his providence suld offer occasio for there further capacitateing to a more authoritative acting as a Prebrie (the mebers of the former standing Prebrie being all deposed by the grall assemblie of this kirk *for y^r^ complyance w^t^ James Grahame excommunicate in his rebellio and shedding the blood of the countrie.)* It is therfor appointed that y^e^ next meeting hold at Thurso the 5^t^ of De^r^ next and so after prayer dissolved the meeting." The words in italics have been deleted, apparently soon after the restoration, but can still be read.

The next minute commences thus, "*Thurso 5t Deris* 1654. The q^lk^ day the min^rs^ and preachers met according to the former appointment pr^t^ Mr W^m^ Smith min^r^ at Wattone Mr Alex^r^ Clerk min^r^ at Letherone Mr Alex^r^ Munro min^r^ at Dinett Mr W^m^ Davidson preacher at Canesbie Mr Harie Forbes preacher at Wick Mr Andrew Munro preacher at Thurso Mr George Anderson preacher at Halkirk and Reae." Mr William Smith having been chosen moderator, and Mr Andrew Munro clerk, they constituted themselves into a presbytery.

It appears that about this period ministers from Caithness itinerated in Mackay's country. Minute, dated *Thurso* 4 *Januar* 1659. "Mr Alex^r^ Clerk is appointed to repair to Strathnaver according to the Lord of Rhaes desyre to supplie them."

"*Wick, 4th December* 1660. This day all the brethren present except Mr David Munro being absent in Strathnaver." "*Thurso, Jan. 1st* 1661. This day a letter was presented from Strathnaver shewing y^t^ Mr David Munro minister at Rhae p^r^ order of the appointment of the presb. had come the length of Strathie, but because of the tempestuousness and unseasonableness of the weather, was advised to returne; the presb. admits the excuse."

"*Thurso, Sept.* 26, 1662. The said my Lord Bishop and the brethren of y^e^ presbytrie present." "That daye M^r^ Hewe Monro hade his populare sermon on Matt. xiii. 24. as a part of his tryal in order to his call to the church of Durines in Strathnaverne and being removed was approven." This was the first meeting after prelacy was restored.

"*Watten, Jan.* 20, 1663. The bishop with the present brethren by prayer and imposition of hands admitted to the function of the ministrie at Durnes, Mr Hugh Monro some of the elders in name of the parish being present as commissionated from thence to that effect."

"*Thurso, March* 2, 1664. That day Mr George Anderson gave ane account of his diligence in giving collation to Mr John Monro for the church of Farre according to appointment." He was succeeded in Farr by Mr Daniel Mackintosh, who and Mr Hugh Monro outlived the revolution.

William Smith, minister of Bower and Watten, who, it is said, having refused, notwithstanding of his flatteries and threats, he brought him to Thurso, and ordered him to be towed to a boat at the harbour, and dragged through the sea to Scrabster roads, a distance of two miles, and there laid in irons on board a ship, where he lay until news came that Montrose was defeated. He was then liberated, and returned to his charge. After the restoration, this pious and faithful minister was ejected; he came to reside in Thurso, where he remained in great comfort, though in low circumstances, till his death. A friend having called on

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Same day. "A petition given in by the minister of Thurso and some of the inhabitants y^r requyring the presbytries consent for building an island in the north syd of the church for theire better accomodation at public ordinances which the presbytrie approves as a convenient resolution and reserves it to the bishop at his returne."

"*Thurso, June* 6, 1666. Mr Hugh Monro being challenged for long absence from the presbytery excused himself by distance of place and several inconveniences attending the tedious journey all qlk not excusing him *pro toto* he was somewhat sharply admonished and exhorted to keep meetings more frequently." Mr Hugh seems not to have relished the meetings of those times; his absence without excuse is frequently mentioned. The last minute inserted in this record contains the following: "*Thurso, 6th June,* 1688. Mr Hugh Monro still absent without excuse."

"*Thurso, Oct.* 7, 1668. Mr W^m M^cKy (minister of Lairg and synod clerk) came the length of Kilgowar in the parish of Loth as it was reported by Mr John Dempster, and returned by reason of the bad weather by rough wind and raine." This was Mr William, son of Iye Mackay of Golvall. It was voted and carried, that the synod could not hold, "by reason y^r were but one of the brethren of the presbytery of Suyrland present."

Bishops of Caithness, from Keith's Catalogue.

Andrew Stewart, a natural son of the house of Invermeath, from 1490 to 1518, when he died.

Andrew Stewart, son of the Earl of Athole, from 1518 till his death in 1542.

He was succeeded by Robert Stewart, brother of the Earl of Lennox. He embraced the reformation, and died in 1586. Alexander Gordon, son of the Earl of Huntly, attempted to obtain the see during Robert's absence in England.

See vacant from 1586 till 1600.

George Gladstanes, from 1600 till 1606.

Alexander Forbes, from 1606 till 1615.

John Abernethy, from 1615 till 1638, when he was deprived.

Patrick Forbes, (son of the famed Mr John Forbes of Alford) from 1662 till 1680.

Andrew Wood, from 1680 till the Revolution.

him, and finding things of a humble appearance in his dwelling, said, *If God had regarded riches, there would have been greater plenty in this house.*

Montrose, after losing too much time in Caithness, marched to Dunbeath, and took the castle after a few days siege, the lady having surrendered on conditions, which Gordon says were very fair, but very ill observed, "only that she had leave to transport her baggage with herself." He placed a garrison in the castle, and left it under the charge of Dalgety and Major Whiteford. The Earl of Sutherland raised all his men, and endeavoured to prevent his passing the Ord of Caithness; but finding himself unequal to the contest, he soon retired; and having fortified the castles of Dunrobin, Dornoch, and Skibo, and sent some of the people with the cattle to the hills, he went to Ross, where he remained till after the defeat of Montrose.

The first night after he left Caithness, Montrose encamped at Helmsdale and Garty, the second at Kintredwell, the third at Rhives, the fourth at Rian in Strathfleet, the fifth at Gruidy, and the sixth at Strathoikel, from whence he marched to Carbisdale, where he halted for some days, in hopes of being joined by the Mackenzies, having himself crossed the water of Shin, and arrived at the border of Ross.

General Leslie, in the meantime, had dispatched Halket and Strachan north to resume their charge. Five troops of horse were speedily got ready, commanded by Ker, Halket, Strachan, and Montgomery, including an Irish troop, led by Captain Collace; and to these were joined from four to five hundred foot, conducted by Ross of Balnagown, and Munro of Lumlair. They marched from Tain on the 27th of April, and having come within a few miles of the enemy, they were informed that he had sent out forty horsemen to reconnoitre: upon which they forwarded a troop to discover themselves, so as he might be led to suppose that these were all the horse they had; and as soon as they came in sight, Montrose marshalled his army. Urrey led the vanguard, and himself the main body; but seeing the enemy advancing in formidable numbers beyond his expectation, he directed his army to retire to a

wood and craggy hill not far distant; but before they got this effected, Strachan was upon them, and drove them into disorder, and the other horse following close up, entirely dispersed them. They ran in great confusion into the wood, but were followed by the enemy's foot, who killed many of them. Two hundred who had attempted to cross the river were drowned. The slaughtering continued for about two hours: about four hundred were taken prisoners; and among others Lord Frendraught severely wounded, Gray, Dalgety, and many other officers. There were killed Sir Gilbert Menzies of Pitfoddles, and Colonel Gordon, with sundry other officers. Frendraught and Pitfoddles both were nephews of the Earl of Sutherland: the former was allowed to go to Dunrobin to be cured. The other prisoners were brought to Tain, and from thence, by Leslie's order, sent to Edinburgh, together with Montrose's papers found among his baggage. The Ross and Sutherland people continued for several days chasing and killing the fugitives. What was most remarkable was, that the victors had none killed: they lost one horseman, who was drowned in the river, having followed the enemy too precipitately.

Montrose, Kinnoul, Major Sinclair from Orkney, and about five or six others, escaped together, and wandered up the river side, and among the mountains, for two or three days, without food. Kinnoul gave up, and perished, as was supposed, in that strange and uncouth region. Wishart says, that "when Montrose saw the day was lost, he threw away his cloak with the star upon it; his sword was likewise found, and at a little distance his horse, which he had forsaken; he betook himself to his feet, and lighting by chance upon a country man, he changed clothes with him, and so conveyed himself away in the fellow's highland garb; at last the laird of Assint being abroad in arms with some of his tenants, in search of him, lighted on him, and only one man in his company. Assint had formerly been one of Montrose's own followers, who immediately knowing him, and expecting to find friendship at his hands, willingly discovered himself; but Assint not daring to conceal him, and being greedy of the reward promised for his appre-

hension, immediately seized and disarmed him. It is said he offered great sums for his liberty; but finding that in vain, he desired to die by the hands of those who took him, rather than be exposed to his enraged enemies: but neither of his desires was granted; and a strong guard was immediately set over him, who conveyed him to David Leslie."

But Gordon, who must have known better, as he lived in the neighbourhood at the time, gives a statement somewhat different. Montrose after his flight had almost famished, but that he happened to light on a small cottage in that wilderness, where he was supplied with some bread and milk; "the Earl of Kinnoul being faint for lack of meat, and not able to travel any farther, was left there among the mountains, where, it was supposed, he perished." "Immediately after the fight, Captain Andrew Munro wrote to his brother-in-law, Niel Macleod, laird of Assint, desiring him to apprehend any who might come within his bounds, and especially James Graham, if he came there." Assint sent several parties in various directions, some of whom having met Montrose, accompanied only by Major Sinclair, an Orkney-man; they seized them both, and brought them to the castle of Ardvrack, Assint's principal residence. Montrose made large offers to Assint, if he would accompany him to Orkney, but which he refused, and wrote to Leslie that he had him secured. Leslie dispatched Holborne with a party of foot to bring him to Sutherland. After being two nights in the castle of Skibo, he was conveyed to Braan Castle, and from thence to Edinburgh. There was evidently a fatality pursuing the unhappy man: he had been very near, if not within, the border of Edderachillis, which belonged to Hugh Mackay of Scowry, who would have befriended him; and he could have been concealed there, where there are huge cairns, crags, and rocks, and small islands without number, in defiance of almost any pursuit; and could have easily been conveyed from thence, or from any part of the Reay country to Orkney, or to the continent. It is not likely that Assint, who always followed the Earl of Sutherland, had ever served under Montrose.*

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* Aikman has followed Wishart, in stating that the laird of Assint had been a follower

The following sentence was pronounced by parliament against Montrose, "That he, James Graham, shall next day be carried to Edinburgh cross, and there be hanged on a gibbet thirty feet high, for the space of three hours: then be taken down, his head cut off upon a scaffold, and affixed to the prison; his legs and arms be stuck up on the four chief towns of the kingdom; his body be buried in the place appropriated for common malefactors, except the church, upon his repentance, shall take off his excommunication." He was executed on the 21st of May 1650, in his thirty-eighth year. Urrey, Dalgety, Sibbald, and others, were executed about the same time. The prisoners, both Danes and Orkney-men, were sent home to their respective countries. Harry Graham returned from Caithness to Orkney immediately after his brother's defeat; and he, and Colonel Johnston who had been left to command Orkney, escaped narrowly to Holland. Leslie came to Caithness, and examined all the principal persons, some of whom he sent to Edinburgh to be tried; he besieged and took the castle of Dunbeath, after a desperate resistance, and prevailed only by cutting off the water which supplied it. He had upon his arrival in Caithness dispatched Captain Collace to Orkney, in pursuit of Graham and Johnston, and to settle matters in these islands. Collace seized the arms which Montrose had brought there, and a small frigate he had received from the Queen of Sweden, together with two field pieces. He apprehended George Drummond of Balloch, and several others, whom he secured till he quitted Orkney, and then brought them with him to Edinburgh, excepting Drummond, who made his escape, and fled to Caithness, where he was afterwards seized by Collace, and shot at a post, to prevent his escaping a second time.

In the month of June, Macleod of Assint went to Edinburgh to receive the reward of L.20,000 Scots promised for Montrose's apprehension. He received part of it, and an obligation for the balance, which

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of Montrose. Nor is it any proof of the fact, that such was stated in the criminal libel afterwards laid against Assint. It is also a mistake to say, that "Montrose persuaded the Earl of Sutherland to come under his standard."—Vol 4. P. 241.

most likely never was paid, by reason of the changes which took place soon after. Halket and Strachan received L.1000 Sterling each, and a gold chain, for their good services. Lord Reay was still detained in prison, as he had but few friends, and probably he was stiff to acknowledge any crime he had committed. His deliverance, however, was effected not long after, by means which were then unexpected, in spite of all his enemies and oppressors, who were, in their turn, repaid for such severe and partial dealing.

Upon the 24th of June, the king landed at Speymouth, with about five hundred Scots and English in his train, including the commissioners and their attendants. Sir Alexander Sutherland of Duffus accompanied him from Holland: he had been for five years in France and other countries on the continent, and soon after his arrival in Scotland he was created Lord Duffus. This title was afterwards forfeited in the year 1715 in the person of Kenneth, Lord Duffus, but was restored to his grandson, Captain James Sutherland, by act of parliament 1826; and he having died without issue male, the title is now taken up by Sir Benjamin Dunbar, baronet of Hempriggs, the next male descendant of the second son of James Lord Duffus, who had changed his surname on his marriage with Miss Dunbar, heiress of Hempriggs.

The king, before his landing, agreed to every thing proposed by the commissioners, and offered to swear and subscribe the covenants, both national and solemn league. Mr Livingston was appointed to tender them: but he wished to decline the service, at least till some time after their landing: his reluctance arose from the strong grounds he had to question the king's sincerity: however, says he, "according to my softness and silliness of disposition, I was moved to agree." The parliament sent commissioners to welcome the king to Scotland, and to desire him to dismiss his English attendants, and those Scots whose return had been prohibited, which he accordingly did, the Duke of Buckingham excepted.

The king had not long enjoyed the Scottish crown, when the kingdom was invaded by Cromwell and the English sectarians, who had

swarmed like locusts during the late troubles. The Scots prepared to resist them, but were routed at Dunbar, as was strongly suspected, through treachery. Divisions and confusions had so distracted the nation, that few could with safety be trusted: and almost all the king's most intimate friends, yea, and himself too, would have rejoiced to have seen those who then had the management in church and state cut off. "Never," says Lord Clarendon, "was victory obtained with less lamentation; for as Cromwell had great argument of triumph, so the king was glad of it, as the greatest happiness that could befal him, in the loss of so strong a body of his enemies." "The defeat of the Scots," says Hume, "was regarded by the king as a fortunate event. The armies which fought on both sides, were almost equally his enemies; and the vanquished were now obliged to give him some more authority, and apply to him for support." The castle of Edinburgh soon surrendered to Cromwell: he shewed much kindness to Lord Reay, who was then in prison; and about the beginning of September he obtained his liberty through him (if the report be true) in a singular manner.

The parliament having met at Perth the winter following, Hamilton, Lauderdale, and others of the king's party, procured a majority to vote that all subsisting differences should be laid aside, and that the whole kingdom should unite to repel the invasion of the sectarians; and they also obtained a majority in the general assembly to concur with them. The measure was fair to appearance, but unsound at bottom. The minority, in both parliament and assembly, foresaw that the scheme would issue in the overthrow of all the liberty in both church and state, that had been hitherto gained at such loss and expense of blood and treasure; and not only restore the arbitrary reign from which they had been emancipated, but rivet the chain of tyranny to a greater degree than before. Those whom the king favoured most, and whose counsels he inclined to follow, had given sufficient evidence of their determined opposition to the best interests of the nation; and if they were once admitted to places of power and trust, which they chiefly aimed at, they would soon, having the king on their head, increase their party,

and employ their power, to the destruction of liberty, and the suppression and punishment of its best friends. The sectarians were no doubt dangerous, as the promoters of misrule; but they were far less so, than the other party, who were termed *malignants*, or abettors of tyranny. Sectarianism was a revolutionary fever, which would soon cool and subside, when it had exhausted the humours that occasioned it; or the temporary giddiness of one just liberated from long confinement or bondage. It is crafty, shifting, opinionative, conceited, and wilful, but seeks to gain its ends by accommodating and soothing, rather than by forcible measures: whereas malignancy is abiding, overbearing, raging, and merciless. The one is a fox, the other a bear. The one is the right hand extreme of deceit, the other the left of violence: truth and true liberty lie between.

In the beginning of August 1651, Cromwell transported his army from Leith to Fife, and on the eighth the town of Perth surrendered to him. The king's army in the meantime invaded England by the way of Carlisle: they amounted only to 10,000: but he fondly trusted that multitudes in England would flock to his standard, in which, however, he was sadly disappointed, for none came to him. Cromwell pursued him with all celerity: and with five to one of the king's forces, as Gordon states, attacked, and completely overthrew them at Worcester upon the third of September. The far greater part of the Scots were either killed or taken prisoners. Duke Hamilton was mortally wounded, and died soon after. Many nobles were taken prisoners. The king after forty days wandering, escaped to Normandy.

In the broken, divided, and reduced state of Scotland at this time, the whole kingdom, which was now destitute of any rallying point, was easily and soon over-run by the English. But England had no credit by it: for, in the first place, the victory was only over a sickly, wasted and divided country; and, in the next place, the invasion was contrary to, and in violation of the solemn engagements the two kingdoms were under to each other: besides, it was ungrateful on the part of England, which, but a few years before, was, by the assistance of a powerful

Scottish army, brought to the enjoyment of the liberty which it now so much abused, and of the power which that kingdom now employed against its deliverers.

The English placed a garrison in the strong tower of Ackergill in Caithness; and they erected a fort at Kirkwall to command the harbour, or entry by the sea to the town; a considerable part of the works of which, and one of the guns, a nine pounder, are still to be seen. They even entered into places in the west of Scotland, and built a fort at Inverlochy. The greater part of the nobility and principal gentry were compelled to take the tender, acknowledging submission to the usurper and the English parliament. All the ministers of Scotland, however, refused, with the exception of James Sharp; and many of them suffered great hardships on that account. But upon the whole, even the assertors of civil and religious liberty enjoyed more quietness and repose during the usurpation, than they had done for many years before, or for above twenty-eight years after: while at the same time, though Scotland was brought so low as that General Monk kept it in subjection with 10,000 English; and notwithstanding that Cromwell and his party used all their efforts to leaven the kingdom with sectarianism or independency, by bringing in their ablest preachers, dissolving and prohibiting church assemblies and synods, countenancing and encouraging lay preaching, &c. they made scarce any impression on the people: such deep root had presbyterianism, or the principles of true liberty, taken in Scotland; and with regard to the king's party, independency was repugnant and disgustful to them, being antipodes to their arbitrary measures: while, on the other hand, from their blind or interested affection, real or pretended for the king, or their ungovernable passions and dissolute manners, they could not endure the salutary strictness of the presbyterian discipline. The Lords Reay, both father and son, seem to have been led merely by their blind affection for their kings: but as for sinister or interested motives, if they possessed them, it was in a very low degree; for they made those arts necessary to their success the least part of their study.

When the king went to France, the only places of worship he attended were the popish: he never for once went to the protestant church at Charenton, though he was invited in the most respectful manner: Lord Clarendon dissuaded him, because the Hugenots, as he called them, had not been hearty in his interest, and it might look disrespectful to the old church of England. Bishop Burnet says, "the king changed his religion in France, and became papist, in hopes that the papists of Britain and Ireland would forward his restoration, having had little confidence now in the ability of the presbyterians: many of his retinue also became papists: but both he and they endeavoured to conceal these matters from his protestant subjects at home."

Lord Reay's delivery from his confinement (tradition says,) was effected thus: His lady, the daughter of Hugh Mackay of Scowry, was uncommonly beautiful and handsome; and having been introduced to the protector, she fell down on her knees before him, and in the most impressive manner begged that her husband might be liberated. He was so struck with her beauty and deportment, that he said he would do all that lay in his power to gratify her; Lord Reay, he added, was a state prisoner, and he could not of himself order his liberation; but if she could manage so as to get him out of prison, he would grant him a protection or pass to secure him from farther trouble, and which he delivered to her accordingly. A great difficulty still remained, how to get his lordship beyond the prison walls. His lady and his servant John Mackay, one of the clan Abrach, always had free access to him. There were two grenadiers centinels before the front entry to the prison. John said, if Lady Reay could get his Lordship brought that length, he would at the hazard of his life, prevent the centinels from obstructing him. The lady got her part effected; and as Lord Reay was ready to advance towards the centinels, John suddenly laid hold of them both, and with the greatest ease laid them prostrate the one above the other, and then disarmed them. As his master was now under cover of the protection, John surrendered himself, and was immediately put in prison and laid in irons. He was afterwards brought to his trial, at which Cromwell

himself was present. He said, that the servant had no doubt forfeited his life: but his conduct, which went to obtain his master's liberty, and perhaps to save his life, was heroical; that if this man was put to death for an act of this nature, which proceeded wholly from his fidelity to his master, and was attended by nothing hurtful in itself, it would discourage their own and other servants from entertaining that degree of attachment to their masters, which a pardon granted to this prisoner would ensure. His opinion, therefore, was, that for the sake of justice, the pannel should be condemned to die: but that, in the circumstances of the case, the crime should be remitted; which was agreed to unanimously. After the sentence was intimated to the prisoner, Cromwell having taken a full view of his large hooked nose, impending eye brows, fierce manly aspect, and proportional figure, exclaimed, *May I be kept from the devil's, and from that man's grasp!*

"It must be acknowledged," says Hume, "that the protector, in his civil and domestic administration, displayed as great regard both to justice and clemency, as his usurped authority, derived from no law, and founded only on the sword, could possibly admit: all the chief offices in the courts of judicature were filled with men of integrity; amidst the virulence of faction, the decrees of the judges were upright and impartial; and to every man but himself, and to himself, except where necessity required the contrary, the law was the great rule of conduct and behaviour." After all that has proceeded from numberless tongues and pens against Cromwell, it may be asked, at what period of kingly administration, previous to the revolution, could such be said either of England or Scotland? The praise, however, is not due to Cromwell, nor to the sectaries, but to the true religion assiduously inculcated and promoted by the presbyterians during these and the preceding years, which had a remarkable effect in illuminating and reforming not only Scotland, but even England, notwithstanding of all the commotions and troubles that occurred. Cromwell's dynasty was the heterogeneous offspring of a rape committed on England by the sectarians, after they had slain her husband.

In the year 1655, Lord Reay joined with the Earl of Glencairn, who had endeavoured to arouse some of the nation to liberate themselves from the sectarians: but after continuing for some time in the mountains, and few only having come to their assistance, Glencairn was taken and imprisoned by General Monk, but Reay made his escape. He afterwards joined General Middleton, with no better success, only that both of them escaped. Monk ordered a search to be made for Lord Reay, but that having proved ineffectual, his house of Tongue was burnt. As matters then stood, it was imprudent and rash in those few royalists to take up arms; no doubt the great majority, and indeed the whole kingdom, were for having the king restored; but the best part of the nobility, gentry and people, and the whole ministry, were for having him bound to the solemn obligations he had already come under; while those who were termed *royalists* or *malignants*, were for having him without any restrictions.

Upon the death of Oliver Cromwell matters went to such confusion in England, that they assumed a new face almost every month, till at length the officers of the army appointed a committee of safety to manage public affairs. The nation soon became sick of these changes, and wished to have any government in preference to such anarchy. Many of the principal persons from various parts of the kingdom met together, and invited General Monk to march his army into England to assist in obtaining a free parliament. He entered England the 2d of January 1660. The long parliament, after they had sat, with some intermissions, for nineteen years, four months, and thirteen days, dissolved themselves upon the 16th of March, having appointed a new council of state to take care of the government. A new parliament or convention was appointed; the elections went generally in favour of the royalists; and Neal says, that in some places persons who had no religion were chosen as members. They sat down upon the 25th of April. A committee was appointed to draw up a dutiful letter inviting the king home to his dominions. Thus he was received in a hurry without any conditions. He arrived in London on the 29th of May.

Many went from Scotland to compliment the king upon his return. The detestable hypocrite, James Sharp, procured himself to be employed as agent for the church of Scotland to see to her interest in the new settlement of affairs: but how well and faithfully he managed that trust, the histories of the time sufficiently declare. Dr Burnet gives the following account of him: "He carried with him a letter from the Earl of Glencairn to Hyde, made soon after Earl of Clarendon, recommending him as the only person capable to manage the design of setting up episcopacy in Scotland: upon which he was received into great confidence. Yet, as he had observed very carefully the success of Monk's solemn protestations against the king, and for a commonwealth, it seems he was so pleased with the original, that he resolved to copy after it, without letting himself be diverted from it by scruples: for he stuck neither at solemn protestations, both by word of mouth and by letters, (of which there are a multitude in Mr Wodrow's introduction) nor at appeals to God, of his sincerity in acting for presbytery, both in prayers and on other occasions, joining with these many dreadful imprecations if he did prevaricate. He was all the while maintained by the presbyterians, as their agent, and continued to give them a constant account of his negociations in their service, while he was indeed undermining it. This piece of craft was so visible, he having repeated his protestations to as many persons as then grew jealous of him, that when he threw off the mask about a year after this, it laid a foundation of such a character of him, that nothing could ever bring people to have any tolerable thoughts of a man whose dissimulation and treachery were so well known, and of which so many proofs were to be seen under his own hand." In Cromwell's time he took the tender, as has been mentioned, and complied with all his measures. Indeed history can produce but few his equals in all sorts of villany. What must have been the infatuation of the ministry, when they chose such a person for their agent? and what must that government have been, that employed such as its principal tools?

The Scots parliament was appointed to meet the 1st of January 1661.

The king appointed Middleton, now Earl Middleton, his commissioner. He was of a similiar stamp with Sharp as to profligacy of manners, and want of principle, though not such a hypocrite. He was of a fierce, violent temper: and, as Bishop Burnet writes, "his way of living was most splendid, but at the same time was most scandalous; for vices of all sorts were the open practices of those about him." But by this time the nobility and gentry had undergone a great change to the worse: few of the best patriots of former years were now living, and those few were marked out for destruction or suffering: every art was practised to get such members chosen as were entirely at the devotion of the court, and where those of better principles were elected, some pretence or another was fallen upon to set them aside. An oath of allegiance was framed so as to imply the king's absolute prerogative, which was sworn by all the members, except Cassilis, who refused, for which he was declared incapable of any public charge, and deprived of the office of an extraordinary lord of session. In this famous parliament, presbyterian government and discipline were overturned; the covenants were declared unlawful and seditious, and not obligatory; all acts of parliament passed from 1640 to 1648 inclusive, were rescinded; and the Marquis of Argyle, the best patriot in the state, and Mr James Guthrie, minister in Stirling, the best in the church, were most unjustly and tyrannically condemned to die as traitors. These are blots on Scotland not yet wiped off, and faults still to be atoned for. Bishop Burnet says of the act rescissory, "That it was a most extravagant act, only fit to be concluded after a drunken bout. It shook all possible security for the future, and laid down a most pernicious precedent." When the lords of the articles introduced it, there were great debates about it, so that it could not be got passed that night; but after much opposition, it was carried by court influence next day. That act, which has been justly termed *the infamous act rescissory,* stands unrepealed, and a disgrace upon the Scots code to this day; many have, not improperly, called it *the grave-stone of reformation.*

The Earls of Caithness and Sutherland, and Lord Reay, were present

at this parliament. Sutherland, by taking the oath of allegiance in its unqualified form, and by giving his suffrage to those proceedings, lost greatly the credit of his former appearances in behalf of liberty. He died in the year 1663, and was succeeded by his son George, then in his thirtieth year. By this parliament Lord Reay was appointed one of the commissioners to value the shire of Caithness.

The king sent down to parliament the following letter: "Charles R. Right trusty and well-beloved cousin and councillor, we greet you well. Whereas our right trusty and well-beloved cousin, Lord Reay, and his father, ever since the beginning of these troubles, have been most faithful and loyal to our father, of glorious memory, and to us; and for the same have suffered much by their several fines and chargeable imprisonments, with the often hazard of their lives, burning of their houses, plundering all their goods, and ruin of their estates; and we being willing and desirous that the said Lord Reay may be rewarded and repaired of those great losses; therefore, we do hereby recommend him to you and our parliament, that such effectual and speedy course may be taken for his reparation and redress, as you shall think fit, and may be answerable to our expectation; and for so doing this shall be your warrant; so we bid you heartily farewell. From our court at Whitehall, the 23d day of January 1661, and of our reign the 12th. *By his Majesty's command*, LAUDERDALE. To our right trusty, and right well-beloved cousin and councillor, the Earl of Middleton, commissioner to our parliament of Scotland." In consequence of an order of parliament, the following report of Lord Reay's losses was given in upon the 13th of June.

"The report underwritten was presented and read in parliament, whereof the tenor follows:—The commissioners after nominate, appointed for trying and cognoscing of my Lord Reay's losses, viz. the Earl of Dumfries, the Lord Cochrane, Lord Tarbet sheriff of Cromarty, and the provost of Glasgow: Finds that the deceased Lord Reay sustained great losses when he came out of Denmark to serve his Majesty in 1644, where he had his ships and haill goods taken at the intaking of Newcastle, and whereof the loss, after exact trial, will be found to amount to L.20,000

Scots. The said commissioners finds that the said deceased Lord Reay was then taken prisoner, and sent to Scotland, and kept long prisoner there, whereby he lost his yearly pension of 6000 marks Scots in Denmark, and a standing regiment there, the damage whereof, after exact trial, is found to be L.20,000 money foresaid, by and attour his pension and loss of his regiment. The Lord Reay has sustained loss by entertaining the Marquis of Huntly, when he was lieutenant to the king's Majesty, by the said marquis his coming to that part of the country to shelter himself, and by the moneys he was compelled by the committee of estates to give bond for to the Grays; the loss of both, the commissioners finds to extend to L.20,000 money foresaid. When the Lord Reay joined with his Majesty's commissioner, the Lord-General Middleton, Huntly, and Pluscarden in anno 1649, he was taken prisoner at Balviny, and then kept in the tolbooth of Edinburgh a long time. As also that his lordship's country sustained great losses by his joining with my Lord Glencairn in anno 1654, and thereafter with my Lord-General Middleton, for his Majesty's service: by the which he suffered L.20,000 Scots, by and attour the loss of his pension, and standing regiment in Denmark, and the burning of his house. Subscribitur, W. Dunfries, Cochrane, Geo. Mackenzie, J. Wurquhart, Rot. Murray, Jon. Bell. Which report being taken into consideration by his Majesty's commissioner and estates of parliament, they have appointed, and appoints the same to be recorded in the books of parliament."*

It is not perhaps beyond the truth to affirm, that no other family in Scotland lost so much by serving the king and his father. Lord Reay never was refunded in any part of those losses. Parliament 1662 imposed fines upon about 900 noblemen, gentlemen, burgesses and others, to the amount of above L.84,779 Sterling, to be appropriated, as was pretended, to relieve the king's *good subjects* who had suffered during the late troubles. Middleton thought to have got the levying and disposal of this money, but he was disappointed: he had collected some

* Scots Acts of Parliament.

part of it, but his relative conduct gave such offence, that Lauderdale, his rival, complained to the king, upon which Middleton was turned out of all his offices; and the execution of the act imposing the fines was suspended till farther orders. It lay dormant till 1665, when Sir James Turner was commissioned, it would appear, to levy the fines in the south and west of Scotland, whose oppressions and cruelties occasioned the rising of the people, which issued in the battle of Pentland hills. The principal cause of employing Turner was, to suppress what were, by way of reproach, called *conventicles:* but which, in reality, were nothing more than people meeting either by themselves, or with their worthy and beloved ejected ministers, for the performance of religious exercises; and refusing to attend the ministrations of the herd of worthless curates who had been violently thrust in upon them: of whom, even Bishop Burnet testifies, that they were not only furious against all who opposed them, but were very remiss in all the parts of their function. It indeed seems probable, that but for these circumstances, the fines, at least for the far greater part, would never have been exacted. Sharp, who was most eagerly bent upon the suppression of those religious meetings, after finding that the high commission court, the institution of which he procured for the purpose, had proved ineffectual, went to London, and proposed to the king that more forces should be raised; and when the king asked him how they were to be paid, Sharp very readily replied, that the money raised by fining had not yet been disposed of. upon which it was agreed, says Burnet, that it should be appropriated to that use; and by that means the managers' hopes were blasted, of dividing the spoils amongst themselves.*

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* The fines laid on Caithness and Sutherland were but few. Those in Caithness were, Robert Innes of Ourtown, L.600 Scots; James Sinclair of Assary L.600; and William Baillie of , L.600. Those in Sutherland were, Robert Gray of Skibo, L.1200; Robert Murray of Pulrossie, L.1000; Patrick Dunbar of Cyderhall, L.1000; Robert Gray of Sordell, L.4800; Gray of Creich, L.2400; and John Sutherland of Clyne, L.1000. It seems somewhat singular, that no fine was imposed on the Earl of Sutherland, who was leader of these Grays and others; and the most active of any in the north of Scotland in supporting the covenanters: but he had now crouched to the present govern-

Middleton was removed from his offices about the end of 1662, and after living for some time in obscurity, he was appointed governor of Tangier. And thus, says Crookshank, after he had banished so many worthy ministers, he was himself sent to die in a foreign land. He lived in contempt there for a little while, and at last, by a fall, he broke the bone of his right arm, by which amputation became necessary; and the stump, at another fall down a pair of stairs, hit his right side, and wounded him so severely, that he became stupid, and died soon after. Mr Wodrow says, that, at the time of taking the covenant, such was his zeal for it, that, coming from the place where he and several others had taken it, he said to some gentlemen, that this was the most pleasant day he had ever seen, and if ever he should do any thing against that blessed work he had been engaged in, holding up his right hand, he wished to God that it might be his death: which came to pass accordingly. Thus fell the great overturner of the reformation in Scotland.

Parliament 1663, upon the 8th of October, sent a letter to the king for advice, of the following tenor:—

"Most gracious Sovereign,

"There being a criminal process depending before your parliament, at the instance of your Majesty's advocate, with the concurrence of the Marquis of Montrose, as his informer, against Niel Macleod of Assint, for his alleged betraying and giving up of the late Marquis of Montrose to those who murdered him, and for taking a sum of money from them, in recompense of that treacherous act: and he being brought to the

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ment, and he had several friends in parliament, such as Frendraught, Aboyn, Duffus and others. The following are the Mackays of Galloway who were fined: Wigtonshire, Patrick Mackay of Lairg, L.360; Martin Mackay of Penningham, L.600; William Mackay of Maydollin L.360; and Adam M'Kay, provost of Wigton, L.1000. Kirkcudbrightshire, Alexander M'Kay of Balnagown, L.480; and Alexander Mackay merchant in Kirkcudbright, L.200.

Parliament 1661, granted to the king an annuity of L.40,000 Sterling, of which there was laid on Caithness of Scots money, L.133, 4s., and on Sutherland L.72, 12s. Among others, Lord Reay, Angus Mackay of Melness his brother, and Hugh Mackay of Skowry, were appointed commissioners for Sutherland. Alexander Macghie of Balmaghie, and Patrick Mackay of Lairg were, among others, commissioners for Kirkcudbrightshire.

bar, and the dittay, with his answer thereto; the reply made by your advocate; and his duplies being at length read and considered, we find he denies the matter of fact alleged against him: but supposing the same were true, he grounds his defence on the indemnity granted by your Majesty to your Scots subjects in the treaty of Breda, in the year 1650, and the ratifications of the same past by your Majesty at your being in this kingdom in the years 1650 and 1651: Though it was instantly offered to be proven under his hand that he had received the money above mentioned, and that the treaty could be no security to him, it not being produced, and being (if any such thing be) before the deeds quarrelled: And we considering that in all former processes during this parliament, it was your Majesty's express pleasure; and accordingly, all those crimes which were libelled against any person as done before that treaty, and these assurances, or which had any ground of defence from them, were laid aside and not insisted on: Have conceived it suitable to our duty, and your Majesty's commands, to forbear farther procedure in this particular, till your Majesty were acquainted therewith: That your Majesty, upon consideration of the business, may be pleased to give order, either to the further prosecution thereof before your justice, or for sisting of all further proceeding; or for any other course therein, which your Majesty in your royal judgment shall think fittest for your honour and service."

It appears, however, that the king was in no great haste to answer this letter. Upon the 23d of June preceding, the chancellor, Glencairn, by order of parliament, had granted a personal protection to Niel Macleod to procure his appearance. His trial was continued, and himself detained in prison till the year 1666.* If he had had no other security

* 20*th February* 1666. The king sent a letter to the privy council, requiring that the action depending before the criminal court, at the instance of the Marquis of Montrose and his Majesty's advocate, against Niel Macleod of Assint, for his alleged betraying of the late Marquis of Montrose, should be discharged. "The said Lords of council having heard and considered the foresaid letter, ordains the same to be recorded in their books, and to be intimated, and the judges therein mentioned discharged in manner therein appointed."—*Privy Council Record.*

than the king's indemnity and assurances, it had fared no better with him than it did with the covenants, and he had as certainly been hanged as they were burnt. If Macleod was guilty of any crime, all who had opposed Montrose, or were concerned in conveying him to Edinburgh, or who offered and paid a reward for his apprehension, or who condemned and executed him, were no less criminal: and of consequence any rule or law that could affect him would apply to multitudes in the kingdom. It was, therefore, the fear of admitting a principle, or laying down a precedent, which would expose the lives of so many, that operated in Macleod's favour, and not any regard which the king, or his servile and unprincipled courtiers, paid to indemnities or assurances. Pledges were given by the king and kingdom regarding the covenants, in a mannner as solemn as ever the sun witnessed; and the only way in which these pledges, so given, were redeemed, was, first, by declaring them, by a parliamentary deed, to be unlawful; and then, *by burning them at the market-cross of Edinburgh by the hands of the common executioner!* The annals of the world will scarcely produce a parallel to such daring wickedness. The covenants were just as to their matter, and seasonable as to the time, when both civil and religious liberties were on the brink of destruction; and being just and seasonable, giving to both God and man their due, and being also national deeds, they are binding while the nation exists: and of consequence, so long must they continue to be a rallying point to all the friends of true religion and liberty. Saul could, and did slay the Gibeonites, but he could not disannull the covenant made with them some centuries before, *though they obtained it by craft;* because, *the princes of the congregation sware unto them.* Kings, princes, nobles, and all ranks, swore to the British covenants; and they never entered into any other engagement so solemn and important; and yet no other engagement, not even the popish league, ever met with such ignominy, ridicule, and reproach, not only from the profane, but from multitudes from whom better things might have been expected. These covenants can no more be blamed for the confusions and bloodshed that followed, than the covenanted re-

formation of Hezekiah, for the idolatry and persecution of his son Manasseh, nor than the Saviour's mission can be blamed for the sword and fire which he said should follow, and even accompany it. The blame is wholly attributable to the errors and irregular passions and lusts of men. But notwithstanding of the rage of Charles, and his furies against them, these covenants have been of incalculable advantage to Britain. They had a singular influence in spiriting up multitudes, especially in Scotland, and inpiring them with such heroism, that all the rancour, cruelty, and craft of their enemies, during a period of twenty-eight years, could not eradicate their sense of obligation, or dissolve their attachment to their covenanted principles; till at length Britain at large caught some portion of their fire, and called the Prince of Orange to the throne at the ever-memorable revolution, when the general conduct of those worthies who had weathered out the storm was publicly justified.

Burnet states, "The gross iniquity of the court appeared in nothing more eminently than in the favour shewed Macleod of Assint, who had betrayed the Marquis of Montrose, and was brought over upon it. He, in prison, struck up to a high pitch of vice and impiety, and gave great entertainments; and that, notwithstanding of the baseness of the man, and of his crimes, begot him so many friends, that he was let go without any censure." But this writer seems both to have been misinformed, and confounded cases which were in themselves quite distinct. There appears to be no ground to suppose that Macleod betrayed Montrose, as has been noticed: but there is undoubted evidence that he was afterwards, more than once, imprisoned and pannelled on other accounts. Various disputes had long before subsisted betwixt individuals of the family of Assint, regarding the succession, as has been in part stated; by occasion of which the Earl of Seaforth came to have some claims against the lands; and he being in great favour with the court, carried every thing in his own way against Macleod, who was as much out of favour. In 1670, he was prosecuted criminally, for an alleged riot and deforcement committed on some troops who had been

sent to quarter upon him.* And in 1674 he was pannelled for high treason, for defending himself in his castle of Ardvrack, when besieged, in consequence of letters of fire and sword which had been issued against him.† By the accounts still current in Assint, Macleod and his family were cruelly and unjustly used by the Mackenzies; they were deprived of their lands, the castle was demolished, and the fine house of Upper Assint was burnt; the walls still retain marks of the fire. It is said that Macleod's lady burnt it intentionally, that her persecutors might get no benefit by it.

The Earl of Sutherland had, about this time, sent one of the Grays, a notary public, and a large party, to take infeftment in the lands of Strathnaver, in name of his eldest son, George, to whom he had resigned all his lands and earldom, and who had now assumed the title of Lord Strathnaver. Lord Reay was sitting on a rising ground, near Betty-Hill, and having seen the Sutherland party coming down the strath, enquired who they were; and being told, he exclaimed in Gaelic, "*Chri fuilig, ach na scain!*" i. e. *Heart suffer, but don't burst!*

It does not appear that after the first parliament of Charles II. either the Earl of Sutherland or Lord Reay took much concern in public mat-

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* 10*th February* 1670. Order to raise action, at the advocate's instance, against the laird of Assint, "for a riot and deforcement committed upon a party of Captain Wishart's company, appointed to quarter upon the laird of Assint for his deficiency in the taxation."—*Privy Council Record.*

16*th June* 1670. Protection to Niel Macleod of Assint, from the diligence of his creditors, to enable him to obey his summons.—*ibid.*

21*st November* 1672. Niel Macleod of Assint ordered to be conveyed from Braan Castle to Edinburgh, to be tried.—*ibid.*

† "In the case of Macleod of Assint, February 2nd and 16th, 1674, it was found relevant (to infer treason) that after publication of the commission of fire and sword, the pannel did raise or levy a hundred men or upwards in arms, and put them under officers or military discipline, or swore to colours, or had them under colours; or drilled them, or put them under daily, weekly, or monthly pay. And also that after such publication, the pannel stuffed, provided, and garrisoned the house of Arbreck."—*Hume's Commentaries.*

14*th January* 1675. Order to the Earl of Seaforth to liberate Niel Macleod of Assint and others, whom he had detained in prison after they had obtained the king's remission.—*Privy Council Record.*

ters during the reigns of the two brothers, but for most part lived at home, attending to their own affairs. In that period, when, by the tyrannical measures of court, multitudes of pious honest people were exposed to such great sufferings and privations, many of them found sanctuary in Ross, Sutherland, and the Reay country. The families of Sutherland, Reay, and Fowlis, in particular, shewed them much kindness, whose ladies were, to a superior degree, pious, amiable persons.* The example and instructions of those suffering people had singularly good effects in these three northern districts, not only in civilizing, but also in evangelizing the natives; and planting such principles of piety among them, as have not been eradicated to the present day. Caithness has been behind them with regard to religious sentiment and feeling, though it has been all the better of being in their neighbourhood.

CHAPTER XIII.

Various disputes had arisen between Lord Reay, or some of the Mackays, and several proprietors of land in Caithness, the particulars of which, though a great deal of relative matter appears in the public records, cannot now be ascertained, owing to the confused and opposite statements of parties, and that their reciprocal actions were not brought to an issue. It has been seen that Lord Reay was possessed of the lands of Spittal, and several others in Caithness. Lord John had seemingly been demanding the rents or other duties of those lands, and was refused payment; and he perhaps had sent a party, as was then the common prac-

* It is related of the baron of Fowlis and Sharp, that being together in the privy council, the latter accused Fowlis of permitting his wife to harbour many of those wandering fanatics. As it was generally known that Sharp was jealous of his own wife, Fowlis replied, That they could not be responsible for all the foibles and weaknesses of their wives: but those whose wives were religious had one great advantage, they believed that all the children they brought them were their own.

tice, to drive away the cattle, without having recourse to any judge-ordinary, or other magistrate. A complaint was brought before the justiciary at Edinburgh, at the instance of John Murray of Pennyland, Patrick his son, Alexander Sinclair of Telstain, William Sinclair of Thura, George Sinclair of Forss, David Cogil of that ilk, William Sinclair of Catchary, and Sir John Nisbet of Dirleton, his Majesty's advocate, against the party, most of whom were of the clan-Abrach Mackay's, and whose names may be seen in the foot-note,* accusing them of having,

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* John Williamson in Corrihuran, Niel Nielson there, Robert Nielson, Hugh Nielson, Iver More, John M'Rory, John Bayne, John Roy-Macallister in Moudale, William Sutherland in Clibrig, Kenneth-M'William-M'Phaul-M'Huston there, Donald M'William-M'Iver Achiness, John-M'William-M'Iver there, John M'Angus-M'Angus in Langdale, John and Donald his sons, John M'Donald-M'John-M'William, Allister Roy, Hugh M'Rory, and John M'William there; John-M'John-M'Allister, William-M'Niel-M'Allister, John-M'John-M'John-M'Niel, Niel-M'John-M'William, Henry-M'Angus-M'Henry, William-M'John-Bayne, in Halladale; M'Inlay *alias* Piper, William M'Ky of Bighouse, John M'Ky his son, Donald-M'Angus-M'Henry in Fosinard, George M'Angus his son there, Donald Bayne in Breckryrie, John-M'Connel-M'Tormag in Craigtown, Niel M'Ean in Trantlebeg, Alexander-M'Curchy-Dow there; Donald-M'Henry-M'Angus in Dyke, John Bayne in Trantlemore, Alexander-M'Ean-M'Connel-Dow in Achamullen, Rory M'James in Bighouse, William Eribach (Abrach) in Balnacraig; Rory M'Connel-M'Conochie, Angus-M'Connel-M'Cormat in Baligill; Rory-M'Angus-Grasich in Hevacmore, William Pyper in Hevacroy, Rory M'Houstan in Galwall, Angus M'Ky of Bighouse in Balnaheglis, Angus-M'Rory-M'William-M'Houstan in Acharidigill, William Bui in Acharascag, William-M'Tormat-M'Comash-Assintach in Malwach, Alexander M'Cormat in Torryninver, William-M'Ryrie-M'Kynnach in Brarathie, William-M'Comas-M'Walter in Moudale in Strathnaver, William-Oag-M'William-M'Eachen in Grubmore, Donald M'Rory-more in Grubeg, Donald-M'Rory-M'Ean-M'Finlay in Dalharrold, William-M'Connel-M'Angus-M'William in Syre, Allister Miller in Langdale, John-Bayne-M'Curchy-Assintach in Skaill, Hutcheon-M'William-M'Ean-M'Allister in Corrihuran, William M'Allister in Clibrig, John-M'Cormad-M'Rory in Achness, William-M'Allan-M'William-M'Comash in Truderscag, in Rumsdale in Breachat in Sutherland, John Gordon in Breachat, M'Finlay in Cromorachy, and George Gun in Knockfin.—*Privy Council Record.*

All these persons were tenants under the Earl of Sutherland, and on the lands of Bighouse and Strathy: It is therefore difficult to say what concern Lord Reay had to send them to Caithness. As William M'Kay of Bighouse, and his two sons, Angus and John, were included in the prosecution, and no mention made of the Earl of Sutherland, it would seem rather that the former had led or sent the party.

upon the 15th October 1665, "stolen, receipted, and taken away of the number of fifty cows and oxen, and thirty horse, forth of the lands of Spittal; and upon the 20th of March 1666, ten horse, and fifty sheep; and upon the 2d of August following, one hundred and eighty cows and oxen, sixty horse, and a hundred sheep; and upon the 15th of September thereafter, from the lands of Forss and Catchary, twenty cows and oxen, and a hundred sheep." The party were summoned to the first of February 1667; and as they did not appear personally, having most probably been prevented by the inclemency of the weather at that season of the year, they were, upon the 5th of that month, denounced rebels, and put to the horn; and upon the 6th, the day following, letters of fire and sword were issued against them, which conclude thus: "Wherefore we have made and constituted, and by these presents, *make, constitute, and appoint*, George, Earl of Caithness, Ross of Balnagown, and William Sinclair of Dunbeath, our commissioners," &c. "to pass, search, seek, take, and apprehend, and imprison; and, in case of resistance, or hostile opposition, to pursue to the death, the haill forenamed persons; and if they flee to places of strength, to raise fire, &c. This commission to endure for a year from the date hereof, &c. And ordains the commissioners to give an account of their diligence and procedure betwixt and the 1st day of July next."*

The lands of Spittal and others in that vicinity, had formerly been a part of the estate of Dunbeath. It has been shewn that the whole of that estate had been conveyed to Lord Forbes, by whom it was sold, partly to Lord Reay, and partly to John Sinclair, nephew of Sir William Sinclair of Mey. There is ground to think that Sir William Sinclair of Dunbeath, son of this John, laid claim to those lands of Spittal and others. He was, therefore, most improperly, appointed one of the commissioners: but propriety or integrity was little studied by the rulers of that period.

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* Privy Council Record.

William Sinclair of Dunbeath, in March 1668, *after the commission was expired*, probably under pretence of executing it, raised almost the whole power of Caithness, and invaded the Reay country. He committed great ravages, plunderings, burning of houses, and seizing and imprisoning of persons, chiefly such as were innocent, and not at all included in his commission. The inhabitants were, to a man, most eager to resist the Caithness-men, but Lord Reay would not permit them: for which they never could forgive him; and his memory has suffered among them down to the present time, for what they considered his pusillanimity in that instance.

In February 1668, William, son of Colonel Hugh Mackay of Scowry, having been at Dunnet on his way to Orkney, he was seized by Lord Caithness, with a party of about thirty persons, and carried to Thurso, where he was imprisoned in a loathsome dungeon; and, from long confinement, and barbarous usage, having been sent home in a boat, he died next day after his arrival. It is said that jealousy on the part of Lord Caithness, whose lady was young, and he himself considerably advanced in life, was the cause.

His brother Hector, accompanied by a servant, having, in the month of August following, been in Aberdeenshire, on his way to Edinburgh, probably with the intention of having an action brought against the perpetrators of his brother's murder, he was way-laid and murdered by William Sinclair of Dunbeath, and John Sinclair of Murkle, and their two servants. It is said, that after Hector was killed, his servant attacked the Sinclairs, and wounded them both, and Murkle so severely in the neck, that he could never after raise his head.

In winter 1668, a complaint was brought before the justiciary, at the instance of John Earl of Sutherland, George Lord Strathnaver, John Lord Reay, Barbara Mackay Lady Reay, and Elizabeth Mackay, spouse of Hugh Munro of Eriboll, sisters-german of William and Hector, Hugh Munro for himself and for his interest, his brother William Munro, and others, against George Earl of Caithness, and others: which complaint

comprehended both the invasion by Dunbeath, and the murder of William and Hector Mackay.*

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* 10*th December* 1668. Criminal letters at the instance of John Earl of Sutherland, George Lord Strathnaver, John Lord Reay, Barbara M'Ky Lady Reay, and Lord Reay for his interest, (Elizabeth) M'Ky, spouse of Hugh Munro of Eriboll, the said Hugh Munro for himself and his interest, William Munro his brother, and William Munro his uncle, for themselves, and in name and behalf of their respective friends, tenants, and vassals, and Sir John Nisbet of Dirleton, knight, his Majesty's advocate for his Highness' interest, against George Earl of Caithness, Sir William Sinclair of Mey, William Sinclair of Dunbeath, John Sinclair of Murkle, George Sutherland of Forse, William Dunbar of Hempriggs, Captain John Sinclair in Dunbeath, Francis Sinclair of Stircoke, John Sinclair younger of Ulbster, Alexander Bayne of Clyth, John Murray of Pennyland, Alexander Sinclair of Telstain, David Sinclair of Southdun, William Budge of Toftingall, William Bruce of Stanstill, William Sinclair of Thura, John Sinclair of Brabster, George Sinclair of Barrock, John Sinclair of Stangergill, Robert Sinclair of Durren, George Sinclair of Olrig, George Sinclair of Assary, Alexander Calder of Newton, James Shilthomas of Holburnhead, John Innes younger of Skaill, John Bruce younger of Ham, James Innes younger of Thurster, James Innes of Sandside, William Innes of Isauld, Donald Henderson of Achalibster, Donald Sinclair of Lybster, David Murray of Clardon, and Francis Sinclair of Latheron, "for invading Strathnaver with about 1200 men, on the / day of March 1668, robbing, plundering, and away-taking the number of 900 cows, and other goods and gear being thereon, and treasonably burning the houses upon the said lands, and marching up and down the country of Sutherland and Strathnaver, in manner foresaid, by the space of seven days, quartering, and oppressing his Majesty's subjects," &c.; "and for their apprehending and incarcerating of Hugh Munro of Eriboll, William Munro his brother, and William Munro his uncle, and carrying them from their own houses to the country of Caithness, and there imprisoning them in Castle-Sinclair, in foul dungeons and pits, and keeping them there by the space of many days and weeks; and upon the 14th day of February 1668, the deceased William Mackay of Scoury being within the sheriffdom of Caithness, at the place of Dunnet, on his way towards Orkney, was there invaded and set upon by the said George Earl of Caithness, Sir William Sinclair of May, David Sinclair of Southdun, and their accomplices and assistants, to the number of thirty persons, and seized upon the person of the said William, and carried him under cloud and silence of night, to the house of William Sinclair in Thurso-east, and the next day thereafter carried him to the town of Thurso, and put him in prison in a most miserable pit and dungeon; and after bad usage and long imprisonment, they put him away in a boat towards his own country, where, through the barbarous and cruel usage he had suffered, he died within twenty-four hours after his arrival; and William Sinclair of Dunbeath, John Sinclair of Murkle, John Gun his servant, and Donald Forbes servant to Dunbeath, being employed by the Earl of Caithness to kill the deceased Hector Mackay, brother of the said deceased William, they, in obedience thereto, did, upon the 11th day of August 1668, way-lay the said deceased Hector Mackay in his passage, upon the hill of Achcoch, in the

In order to meet that complaint, Lord Caithness and others raised a similar action at their instance, against the parties pursuers in the other; the conclusions of which embraced several alleged crimes, from the year 1649 down to that period. In both actions, the respective parties were summoned to the same day, 10th December 1668.* But that at the instance of Lord Caithness and others was deserted, having been laid on false informations. Some compromise had taken place between the par-

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sheriffdom of Aberdeen, and they being armed with pistols and guns, shot him through the heart and craig, whereof he died upon the place."—*Justiciary Record*.

* 10*th December* 1668. Criminal letters at the instance of George Earl of Caithness, James Sinclair of Assary, John Murray of Pennyland, Robert Innes brother of Sandside, Alexander Sinclair of Telstain, Major William Sinclair of Thura, George Sinclair of Forss, David Cogil of that ilk, William Sinclair of Catchary, William Dunbar of Hempriggs, William Sinclair of Dunbeath, John Sinclair of Murkle, and others, against John Williamson in Corrihuran, and all the other persons in the foot-note inserted page 363; and also against William Munro of Rosshall, William Munro brother of Hugh Munro of Eriboll, John Earl of Sutherland, George Lord Strathnaver, John Lord Reay, Sir Robert Gordon of Embo, John Gordon chamberlain to Strathnaver, Angus M'Ky of Melness, Charles M'Kay brother to the Lord Reay, William M'Kay of Ribigill, Major Iye M'Ky of · · · · , Captain William M'Ky (of Borley?) William M'Ky *alias* M'Comash in Durness, Robert MacKy *alias* Nielson, Hugh-Abrich in Achness, Hugh Munro of Eriboll, William Munro of Mussal, Donald M'Ky, brother-german of Major Iye M'Ky, Niel Macleod laird of Assint, "making mention, that in the year 1649, the said William M'Comash and others foresaid, under the command of Niel M'Ky *alias* Williamson, a kinsman of the Lord Reay; and by the hounding out and instigation of the said John Lord Reay, came in the said year 1649 to Caithness, armed in a hostile manner, and invaded Sir James Sinclair of Murkle, then sheriff-principal of the said shire, and demanded of him a subsidy of money, which being refused, the said Niel M'Ky *alias* Williamson and his associates, robbed and spoiled the said country of Caithness, and were accepted and received by the Lord Strathnaver and Lord Reay; and sicklike the said John Lord Reay and remanent persons foresaid, hounded out John and Niel M'Kys, sons to the said Niel Williamson, and said other persons, in October 1653, and robbed sixty cows from the lands of Assary; and in April 1654, robbed from the lands of Spittal and Halkirk 100 cows; and in October 1654, from Berridale and Strathmore 300 cows; and sicklike the said John and Niel M'Kys *alias* Slichinavrich, and the haill remanent persons foresaid, in October 1665," (as has been stated in the text). "Diet deserted."—*Justiciary Records*.

This Niel Mackay *alias* Williamson, is the same who was killed in Thurso along with Donald Macallister-Mullich. The diet in this case having been deserted, affords evidence that the statements were incorrect. There were other actions besides those mentioned, between the parties.

ties, on the same day on which the actions were to have been called,* with the exception of the lairds of Dunbeath and Murkle, the issues as to whom were not concluded in that compromise. They had previously been appointed to find caution for their compearance, but had failed, in consequence of which commission had been granted to apprehend them.† That also having failed, commission of fire and sword was issued against them,‡ but those persons to whom the same was granted having declined the service, a new commission to the same effect was granted to John Campbell younger of Glenorchy,‖ who proceeded to Caithness, but he

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* 10*th December* 1668. "Anent a petition presented by the Earl of Caithness, Lord Strathnaver, Lord Reay, and Hugh Munro of Eriboll, for themselves, and in name and behalf of their respective vassals and tenants, and John Sinclair of Ratter, and William Dunbar of Hempriggs for themselves, and in name and behalf of the rest of the gentlemen of the shire of Caithness, shewing that there being several pursuits depending before the justices mutually by either party against the other; and seeing that by the pains and labour of several noble friends, the said differences are partly concluded and agreed: Humbly therefore desiring that order and warrant might be granted to the effect under written. The Lords, &c. recommends to the justice-general, justice-clerk, and justice-depute, to suffer the diets in the mutual processes above mentioned to desist, and that as to the haill persons concerned therein, except such as are declared fugitive already; and ordains their bonds given in for under-lying the law, to be given up to them, &c. And to remove and discharge any confinement or restraint heretofore put upon the Earl of Caithness and Lord Strathnaver."—*Privy Council Record.*

† 8*th August* 1668. William Sinclair of Dunbeath, and John Sinclair of Murkle having left Edinburgh without finding caution for their compearance.—Commission granted to Andrew Munro, brother of the laird of Fowlis, to apprehend them.—*ib.*

‡ 7*th January* 1669. "The lords of his Majesty's privy council ordain the commission of fire and sword granted" (to Sir George Munro of Culrain and others,) "against Dunbeath and others, to be inclosed in a letter directed to Sir George Munro, requiring him to detain the same in his hands till he get the bond appointed to be given by the Lord Reay and others for Captain William Mackay" (of Borley?) "signed; and ordains this letter and inclosed commission shall be given to the Earl of Caithness to be conveyed to the said Sir George his hands by any the said Earl shall think fit to entrust therewith."—*ib.*

‖ 29*th July* 1669. "Charles, &c. greeting. Forasmuch as William Sinclair of Dunbeath, John Sinclair of Murkle, John Gun his servant, and Donald Forbes servant to Dunbeath, being orderly denounced our rebels, and put to our horn for not compearing personally before our justices upon the 24th day of November 1668 years, to have underlien the law for several treasonable crimes, and others committed by them; and particularly for convocating about 1200 persons in arms, and therewith invading the inhabit-

did nothing effectual: and soon thereafter both Dunbeath and Murkle, through the interest of their friends, obtained from the king a remission of their crimes. But Glenorchy, by those means, found the road to Caithness, to which he afterwards became the most severe scourge that ever it met with, as shall be seen anon. It would also appear

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ants of the countries of Sutherland and Strathnaver, robbing, plundering, houghing, killing, and away-taking several drists (droves) of cattle, imprisoning of divers of our free lieges in pits and dungeons, raising of fire in houses, barns, and corn-yards; and also for the cruel murdering of the deceased Hector M'Ky brother to umquhill William M'Ky of Scoury, at more length expressed in the criminal letters raised against them at the instance of the persons wronged and injured, with concourse of our advocate for our interest; as the said letters of horning, duly executed and registered at length, purports: whereupon we having, upon the 3d day of December 1668 years, directed forth commission of fire and sword against the said rebels to divers persons; as also letters of intercommuning, discharging our whole lieges to reset supply, &c. the said rebels, &c. nor transport them to, nor from ferries, &c. under the pain of being repute art and part with them, &c. Our will is, &c. and being sufficiently satisfied with the fidelity and ability of John Campbell younger of Glenorchy, do therefore, with advice of the lords of our privy council, give and grant our full power, authority, and commission, express bidding and charge to the said John Campbell, to pass, pursue, take, and apprehend, and in case of resistance, or hostile opposition, to pursue to the death, the said William Sinclair of Dunbeath, John Sinclair of Murkle, John Gun, and Donald Forbes, their servants, rebels foresaid; and for that effect to convocate our lieges in arms; and in case they should flee to strengths or houses for their defence, to pursue and besiege the same, and to raise fire, and to use all kind of force or warlike designs for recovery thereof, and particularly for reducing of the garrison of Dunbeath, and such of the rebels as are therein." Indemnity to him and all his assistants from all consequences. Charge to all judges, magistrates, and others in Caithness to bring to justice and punishment all who have supplied or aided the rebels—and charge to all the lieges to assist the said John Campbell in the execution of his commission.—*Privy Council Record.*

3*d August* 1669. Order for issuing letters of treason against William Sinclair of Dunbeath, for fortifying his castle against John Campbell younger of Glenorchy.—*ib.*

Same date. Order to the Earl of Linlithgow to send his party of foot lying in the north, to assist Glenorchy in the execution of his commission of fire and sword.—*ib.*

13*th January* 1670. William Dunbar of Hempriggs, who had been apprehended by Captain Wishart, and imprisoned in Castle-Sinclair for intercommuning with Dunbeath, ordered to be set at liberty, on finding caution to the extent of 5000 merks Scots, that he shall appear before the council when called.—*ib.*

that Dunbeath had afterwards paid a certain sum, in recompence of the depredations he had committed on the Reay estate.*

This John Campbell of Glenorchy was a most extraordinary character; and for arts and address, and persevering assiduity, there were few, if any, to equal him in his time. He ingratiated himself greatly with the Earl of Caithness, whose lady, Argyle's daughter, was his kinswoman. Upon the 7th of October 1672, George, Earl of Caithness, executed a bond of tailzie of his earldom and lands in his favour, failing issue-male of his own body; and next day he granted him a disposition of his lands. The Caithness estate was greatly burdened with debt, and lay under many apprisings, and several wadsets. The earl died about the year 1675, and left no male issue. Glenorchy, who was himself a creditor to a considerable amount, bought up the other debts affecting the lands, and having married the countess dowager, who was liferented in part of them, rather than trust to the validity of the deed of tailzie, and disposition in his favour, he led a process of adjudication against the whole estate; and the right which he thereby obtained to it was afterwards confirmed by a charter under the great seal. In 1675 he granted several wadsets, to enable him to discharge the most pressing of those debts which affected the lands. He also claimed right to the earldom, and by a royal grant obtained the title of Earl of Caithness, which he retained for several years; but as to which, however, he had a competitor in the person of George Sinclair of Keiss, son of Francis Sinclair of Northfield, second son of George Earl of Caithness, the late earl's great-grandfather.

As both claimed the title, and as each by his friends and favourites was designed Earl of Caithness, the separate opinions of lawyers were taken on the question. Those lawyers were Sir George Mackenzie, Sir

* The inventory of Caithness writs contains the following, viz.: "Information for the tenants of Caithness against the laird of Dunbeath and others, anent a pursuit at Dunbeath's instance against them for his relief and repayment of certain sums he was upon a transaction obliged to pay for several depredations committed by him and the said tenants by his order, upon my Lord Reay and his estate, 1682."

Robert Sinclair of Longformacus, Sir George Lockhart, and Sir John Cunningham, advocates, who were considered the ablest in Scotland at the time. Burnet says, that Cunningham had not Lockhart's quickness, nor his talent for speaking, but he was learned and judicious; and had the most universal, and indeed the most deserved, reputation for integrity and virtue, not only of his own profession, but of the whole nation.* Their opinions, or at least a majority of these, went in favour of Glenorchy, and were transmitted to the king, who upon the 15th February 1677, sent a letter to the privy council, ordering them to issue a proclamation, discharging George Sinclair from assuming, and the lieges from giving him, the title of Earl of Caithness: which proclamation was accordingly issued on the 22d of February following.† But on what

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* This Sir John Cunningham was a native of Caithness, and educated in Thurso. His father, who was admiral-depute of Caithness, Sutherland, Mackay's country and Assint, possessed the lands of Gise and Ormly in the neighbourhood of Thurso, under William Lord Berridale, after he had obtained the management of the Caithness estate. The following is copied from an original receipt granted to him, viz. "I Johne Sinclair in Scrabster grants me in name off my Lord off Berridell and y^e^ M^r^ off Berridell his lō sone to have receavit fra Jhone Cunninghem in Geise y^e^ soume off thrie hounder mks monie in pte off payment off y^e^ said Jhone his land rent out of the lands off Geis q^lk^ soume I obleise me y^t^ the said noble lord or ey^r^ off them sall allow to him w^t^ just compt and raikning In witnes q^r^off thir pnts ar w^r^ten and subscryvit w^t^ my hand at Thurso y^e^ 25 of Junii 1624 Befoir thir witnes W^m^ Innes of Sandsyde and James Sinclair off Borlum."

This John Cunningham had a daughter, Jean, who married the laird of Rattar, and another daughter who married Innes of Borlum. The former is still remembered in Caithness as

Jeanag o' Rattar,
Ill to the tenant, and war to the cottar.

† *15th Feb.* 1677. Letter, the king to his privy council. "Charles, &c. Right trusty, &c. We are informed that the deceased George Earl of Caithness did make a full disposition of his estate, and also of his honours, to the laird of Glenorchy, the 7th day of October 1672, failing of heirs-male of his own body, whereupon resignation was made in exchequer the 6th day of December next following the date of the said disposition; after which, the said Earl died without heirs-male of his body; and although our royal counsel was not obtained, yet George Earl of Caithness and his heirs seem unto us to be thereby denuded: and yet we are informed, that George Sinclair, cousin to the late earl, does presume to assume the title of Earl of Caithness, as pretended heir-male of the late deceased earl, which we look upon as a high contempt of our authority. Therefore we require you, by open proclamation, &c. to inhibit and discharge the said George Sinclair,

ground those lawyers founded their opinions, is not perhaps easy to determine. The earldom was a male fee by the original grant, which would seem a bar in the way of the late earl's gifting or disposing of it to a stranger; and of the king's altering its tenure when there was no previous forfeiture: but injustice and partial favour were common at that time.

But this was not all: George contended that his father had obtained from the earl, his father, a disposition of the lands of Kiess, Tister, and Northfield as his patrimony, which lands he possessed during his life; that after the death of his father, his mother and his other curators possessed them during his minority; and that since he came of age, he possessed them himself: that these lands were of consequence his exclusive property, and formed no part of the Caithness estate claimed by Glenorchy. The latter, on the other hand, denied that George Sinclair had any legal right to the lands of Keiss, Tister, and Northfield; that if his father had obtained a disposition over these lands, it was at a time when the earl his grandfather was incapable to grant such a deed, having previously, for the satisfaction of his creditors, resigned his whole estate into the hands of his son, William Lord Berridale; and that these lands of Keiss and others, were included in the decreet of adjudication in his, (Glenorchy's) favour.

George Sinclair, however, not only retained possession of the lands, but he and his friends with their followers, annoyed and disturbed Glenorchy's chamberlains and agents, in the exercise of their duty; and used all means they could think of, to intimidate the tenants from paying them their rents; or at least the tenants, who were backward enough, and inimical to Glenorchy of themselves, alleged that such was the case.*

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or any other, to assume the said title, &c. until we shall declare our farther pleasure concerning that earldom."—*Privy Council Record.*

22*d February* 1677. Privy council issued letters for proclaiming the above.—*ib.*

6*th September* 1677. The king's patent to the earldom of Caithness in favour of John Campbell of Glenorchy, dated 28th June 1677, recorded by order of council.—*ib.*

* 2*d March* 1681. Criminal action at the instance of John Earl of Caithness, and his Majesty's advocate, against George Sinclair son of the late Francis Sinclair, David Sinclair of Broynach, Major William Sinclair of Thura, and others, for various outrages, and

But in order to have a powerful friend in the country, Glenorchy, upon the 9th November 1677, appointed Sir John Sinclair of Murkle, (who was afterwards Earl of Caithness) sheriff and justiciary-depute of the county: and at the same time appointed him bailie of all the baronies on the Caithness estate; but all had not the desired effect; and therefore Glenorchy, then designed Earl of Caithness, obtained from the privy council, letters of lawborrows, at the instance of himself, his chamberlain, and tenants, against George Sinclair and his accomplices; upon which lawborrows, letters of caption were issued against them, on the 10th May 1678. The privy council, on the 6th of April preceding, had passed an act, granting warrant to the sheriff of Caithness to call George Sinclair and his accomplices before him, and to proceed and remove them from the lands of Keiss and others, in case he find that they have intruded therein, and put John Earl of Caithness in possession thereof.

Glenorchy having complained to the council, that George was resolved to hold out in defiance of their act, and had for that purpose fortified himself in the castle of Keiss; they passed another act, dated 13th of September following, upon the petition of John Earl of Caithness, and Sir George Mackenzie, his Majesty's advocate, ordaining the said George Sinclair and his accomplices to deliver up the house of Keiss, or any other house violently possessed by them, within six hours after they are required to that effect, by any herald or pursuivant with sound of trumpet. But as George still continued refractory, the council sent the king a statement of the proceedings, for his farther advice and direction; and in consequence of his letter, they, upon the 11th November 1679, passed a third act, charging the kin, friends, and followers of John Earl of Caithness, and the heritors and inhabitants of Caithness, to concur with, and assist him in recovering peaceable possession of the lands of Kiess, Tister, and Northfield.

In order to carry this act into effect, Glenorchy, the following summer,

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demolishing the house of Thurso-east, and others, and forcibly retaining possession of Kiess, Tister, and Northfield, in the year 1677.—*Justiciary Records.*

invaded Caithness with about 700 men. Finding that George Sinclair and his friends were preparing to give him battle, he took up his station about two miles west from Wick, at a place called *Altimarlach*, i. e. *Thieves-Burn*. His opponents were more in number; but making themselves, on that account, sure of victory, they sat up all night in Wick drinking, and many of them were intoxicated next morning, when they marched towards their enemies. The Campbells, on the other hand, knowing that they were in an enemy's country, and that their safety depended on their skill and valour, chose the most advantageous ground, and put themselves in regular order, when they perceived the Caithnessmen advancing. The latter having come up in a confused and disorderly manner, they had scarce given a stroke, when they were routed. The slaughter was very considerable. Many of them endeavouring to make their escape by the river of Wick, which was near the place, were intercepted and slaughtered, so that it is said, the Campbells crossed the river dry-shod, on their dead bodies. Their leaders being on horseback, made their retreat unhurt. *The battle of Altimarlach* is much talked of in Caithness to the present time, though the circumstances which led to it have been forgotten.

Notwithstanding of this victory, however, George Sinclair and his friends continued to give Glenorchy all the annoyance in their power. The latter obtained possession of Castle-Sinclair, but soon thereafter, George, assisted not only by his Caithness friends, but also by a company of the Mackays, laid siege to it, in consequence of which, those who had been left to keep it, were compelled to capitulate. Glenorchy brought several criminal pursuits against George Sinclair, William Sinclair of Thura, John Sinclair of Telstain, and others, together with a number of persons in the Reay country, for the crimes of deforcement, treasonable convocation of the lieges, modelling them in regiments and companies, seizing the persons of free subjects, without warrant or authority; robbery, oppression, besieging Castle-Sinclair, &c.* But the political cur-

* *8th November* 1680. George Sinclair, David Sinclair, &c., M'Kye in Strathnaver, Gordon of Skerray, Naverach in Tongue, and others, declared fugitives, for attacking Castle-Sinclair, and firing shots at it.—*Justiciary Records.*

rent having taken a turn in favour of George Sinclair, all those pursuits were quashed.

In those adverse and perilous circumstances, George Sinclair, by advice of his friends, addressed himself to the Duke of York, who readily took a zealous interest in his cause. In the first place, he obtained from the king a grant to him of the earldom of Caithness; and then recommended to him to lay his case, regarding the lands of Kiess and others, before the first parliament, where he, York, was to be commissioner. York had arrived in Scotland in October 1680, where he remained purchasing and courting friends to himself, until the year following, when he presided in parliament. In order to secure Glenorchy's support, to recompense him for the loss of the Caithness title, he got him made Earl of Breadalbane.

On the 17th September 1681, George Sinclair, now Earl of Caithness, according to the duke's recommendation, presented a petition to parliament, of the following tenor:—That the late Earl of Caithness having been debtor to Sir Robert Sinclair of Longformacus, for security thereof he wadsetted to him his lands and estate of Caithness; that the then laird of Glenorchy, now Earl of Breadalbane, having paid Sir Robert, acquired right to the wadset, and obtained a disposition from the earl, under reversion of the sum paid by him to Sir Robert; shortly after granting which, the earl died; and Breadalbane, by his marriage with the Countess-dowager of Caithness, and certain other means and methods, having got into his hands the charter-chest of the late earl, in which the said reversion was, he, within a short time thereafter, sold and wadsetted as much as refunded him in the sum he had paid to Sir Robert; that in order to secure his possession the more effectually, to which he had only a redeemable right, Breadalbane, by gross and false representations, obtained from his Majesty the title of honour of the Caithness family, to the enjoyment of which, by the justice of his Majesty, the petitioner is now restored: and the said Earl of Breadalbane, finding that by address to his Majesty, and by pursuits before the judicatories, his arts and practices were discovered to the world, he endeavoured by all

means to ruin the petitioner, by disabling him from pursuing his just right; that the petitioner's father having left him the lands of Keiss, Tister, and Northfield, which were disponed to him by his father, the deceased George, Earl of Caithness, above fifty years ago, for his patrimony, the said Earl of Breadalbane used all meaus to rob the petitioner of the possession thereof; that having first moved a pursuit before an inferior court against the petitioner for removing him, without effect, he afterwards raised a complaint against the petitioner before the privy council, that he had intruded himself into possession of Kiess, Tister, and Northfield, which, he alleged did not belong to him: in which pursuit, the petitioner having produced his father's charter and sasine, and produced witnesses to prove his peaceable possession, the process was sisted; that finding those methods ineffectual, Breadalbane applied to his Majesty, alleging falsely the county of Caithness was turbulent, and that he had been violently dispossessed of his property; he was permitted by his Majesty to convocate his friends and followers to assist him to recover possession of the estate; under pretext of which he formed an army of seven hundred men, with whom he invaded and robbed the county, burnt and destroyed houses, and killed a great number of his Majesty's good subjects; and amongst other deeds of oppression and violence, dispossessed the petitioner of his lands of Keiss, Tister, and Northfield, though they formed no part of the Caithness estate, but were given as a patrimony to his father, by George, Earl of Caithness, the petitioner's grandfather, and were peaceably possessed by him, and after his decease by his mother and curators during his minority, and afterwards by the petitioner himself: but since the invasion, these lands have continued in Breadalbane's possession: That by these means the petitioner is not only defrauded of the Caithness estate,—to the reversion of which he had undoubted right, as Breadalbane has, by his intromissions, fully paid himself of all sums due him,—but has also been deprived violently of his own proper lands of Kiess, Tister, and Northfield by the said army, whereby he is rendered incapable to prosecute these just actions for recovery of the rights competent to him, or to maintain the dignity of the

family whom he represents; and seeing that the lands of Keiss, Tister, and Northfield are very inconsiderable, worth not exceeding three hundred merks yearly rents,* and that it is a principle in law that *spoliatus ante omnia est restituendus*, and that the violence and force was public and manifest, and this case attended by singular circumstances; therefore beseeching his Majesty and the estates of parliament to appoint the petitioner to be repossessed in the lands of Kiess, Tister, and Northfield, until it be found by the judge-ordinary that Breadalbane has a preferable claim to them; and to sequestrate the Caithness charter-chest, and ordain Breadalbane to make oath as to his having abstracted any writs from the same, and with regard to the reversion.†

Breadalbane, on the other side, stated that his opponent had no right to the lands in dispute, but that of posssession; whereas they were legally conveyed to him (Breadalbane) in the same manner as the other parts of the Caithness estate; and that on these grounds they had already been adjudged by the competent courts to belong to him, in consequence of which he was now in possession. The duke, who had it in his eye to restore popery, wished to countenance and support those whom he thought would be most forward in promoting his views; and with respect to this, he had grounds to believe that he could depend more on the Caithness family than on any of the Campbells. The great majority of the estates, bad as they and the times were, had a deep-rooted aversion to popery, and consequently they were jealous of the duke, and of those whom they had reasons to suspect would favour his grand design. In these circumstances, the duke considered it hazardous to refer the question to parliament; and he therefore got it remitted to the privy council. The result was, that George, Earl of Caithness, was restored to possession of the lands which he claimed; and he held them during his life. He died in 1698, without issue, upon which his sister, Lady Sinclair of Mey, assumed the possession: but in the follow-

* These lands have, within the last twenty years, been purchased at upwards of L.30,000 Sterling.

† Scots Acts of Parliament

ing year she and her husband, Sir James, were ejected from them at Breadalbane's instance, on the ground that "the Earl of Caithness had no shadow of title or right of possession, save an act of council conceived personally in his favour by the influence of the Duke of York." Not only did the duke procure Earl George's restoration to possession, but he afterwards obtained orders from the king to discharge the criminal actions which Breadalbane had brought against him.* In May 1699, Breadalbane and his son, John, Lord Glenorchy, sold those lands, about which there had been so much strife and bloodshed, to John Sinclair of Dunbeath. Earl George was succeeded in his titles by Sir John Sinclair of Murkle, who was succeeded by his son, Alexander; after whose death, in 1766, the earldom fell to William Sinclair of Rattar, from whose family it descended to Sir James Sinclair of Mey, whose son, Alexander, is now Earl of Caithness.

During these and most of the following years of his life, Breadalbane had such a multitude of affairs to manage, and by his sinister conduct had involved himself into so many scrapes, that almost any other but he would have sunk under them. As several matters with relation to him will afterwards necessarily fall under notice, the following may suffice at present. Many obstructions were thrown in the way of his agents in collecting his Caithness rents. His chamberlain at one time having been maltreated, threatened that he would complain to his constituent: He received for answer, "*s' fad en eive do Loch Ho*," i. e. "*There's a long cry to Loch How*,"—Breadalbane's place of residence in Perthshire. This is a common adage in the north to the present day. It is said that on one occasion, Breadalbane having come to Caithness to settle with his chamberlain, the latter asked his lordship if he wished for a long account or a short one? A short one, to be sure, said Breadalbane. The chamberlain, to please his lordship, charged himself with a gross sum for which he allowed he was debtor, and then took credit for the whole amount thus: "*Item, all spent to support your*

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* 6*th March* 1683. Diet deserted in the criminal cause, at the instance of the Earl of Breadalbane, against George Sinclair, Earl of Caithness, for outrages.—*Record of Justiciary.*

lordship's honours." As his lordship thought his Caithness honours were supported at an expense far beyond their value, he set about disposing of his lands there as soon as possible. He at first mortgaged by wadsets the greater part of them, and sold the residue; and afterwards sold such as he had mortgaged: but the sheriffship continued in his family till about the year 1735, when it was sold to George Sinclair of Ulbster, Sir John Sinclair's father. Sir John's grandfather purchased the greatest lot of the Caithness estate: Breadalbane had appointed him sheriff-depute for many years. The whole debt lying on the Caithness estate when Breadalbane interfered, does not appear to have exceeded L.20,000 Sterling; and that estate, before it was dismembered, might at this day be estimated at not less than L.600,000.

In the year 1683, a Swedish vessel, bound for the west of England, happened to cast anchor near the mouth of Kylscow,—that arm of the sea which divides between Edderachillis and Assint, at a place called "*Poleghaun*," i. e. *Stirk's Pool.*" A banditti boarded the vessel in the night-time, murdered the crew, and carried away all the money they could find, which they wrapped up in a Highland plaid: but in handing the plaid into their boat, a corner of it slipt off, and most of the money fell into the sea. Much pains was taken by Lord Reay and others to discover the perpetrators of this horrid crime, but no proof could be led against them, only that several persons were suspected; and it was generally observed that these persons came afterwards to great poverty and misery. "*The year in which the Swedes were killed*," was long a memorable era in that part of the country.*

With regard to public affairs, the persecutions and cruelties used

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* The author taught a school in Edderachillis in the year 1783. This story was then current, and its date was accounted for from its having happened the same year in which Duncan Mackenzie in Rhiroy in that parish, was born: he was living in 1783, in his hundredth year. The country people, who are generally fond of the marvellous, allege that the Swedish captain, before setting out on his voyage, consulted a fortune-teller regarding his success; that the response was, to beware of Whitenhead, Capewrath, and Poleghaun; and that upon his being forced by contrary winds to anchor in the latter place, he asked it's name, and being told, he exclaimed, *Then I am gone!*

against the presbyterians in the southern parts of Scotland during the reigns of the two brothers, are generally known: but as occurrences in the north have been less noticed, a few of them may be mentioned. The Earl of Sutherland, Lord Reay, the Munros, and some others, took no concern in those persecutions; but on the contrary many of the suffering clergy and laity found sanctuary and kind treatment within their territories. It is true that Lord Strathnaver, in the end of the reign of Charles, and during that of James had command of a band of militia in and about Inverness: but he merely acted as a check on the papists in the heights of Glengarry, Lochaber, and some other places. This appears from a petition presented to parliament by the town of Inverness in the year 1689, in order to obtain payment for ammunition, &c. furnished to Lord Strathnaver during his command there the bygone years;* for it is evident that such an application had not been made, nor listened to by that parliament, had the furnishings been made with a view to suppress the presbyterians.

Upon the 15th of November 1679, there were two hundred and fifty-seven of the prisoners, (says Crookshank) who had been taken at Bothwell-bridge, and had lain in Greyfriars' church-yard from the twenty-fourth of June preceding, put on board a ship lying in Leith roads, before any of their friends knew of it; and though thirty were dangerously ill of a flux, and other distempers, yet they were hurried away with the rest. They continued twelve days on board before the ship sailed, and suffered inexpressible barbarity in the ship. They were so closely pent together, that they had scarce room to move. Their friends were neither permitted to see them, nor to minister to their necessities. Some of them were forced to drink their own urine to quench their thirst, and some of the wicked sailors threw their excrements in their faces; and though a large collection, amounting, as was reported, to 14,000 merks, was made for them, yet little of it came into their hands. Upon the twenty-seventh the ship sailed, and on the thirtieth they got to Orkney in a very tempestuous sea. The prisoners fearing what hap-

* Scots Acts of Parliament.

pened, desired to be put on shore, and sent to any prison the master pleased. But the captain, William Paterson, who was a papist, confined them under the hatches. About ten at night the ship was driven from her anchor upon a rock, and broke in the middle. The sailors quickly got down one of the masts, and laying it between the broken ship and the rock, got ashore; but such was their barbarity, that no entreaties of the poor men could prevail with them to open the hatches, though, had that been done, most of them had been saved; whereas all of them were drowned in the hold, except only that an honest seaman, being struck with horror at this cruelty, ventured his life to go aboard, and with an ax cutting through the deck of the vessel, got forty-nine or fifty of them out alive: and so two hundred of them were drowned, or rather murdered. "After this piece of cruelty," says the author of the Memoirs of the Church of Scotland, "I think I need make no apology for saying, that the reign of Dioclesian, or any of the most cruel persecutors of God's church, could not match this; for these were men delivered, men to whom life was granted according to the king's letter, dated 29th June, and the indemnity afterwards; and consequently the perpetrators of this villany ought to have been punished by death; but no notice was taken of it." On the contrary, in March following, Paterson was made up by the council for the loss he sustained by shipwreck. Crookshank adds, that it was reported, the vessel was so small that it could not contain provisions sufficient for such a number for so long a voyage as to America, whither she was said to be bound. It is probable the ship was wrecked at Inhallow, an island in Rousay-sound, where many bodies of those sufferers were buried. Their graves are shewn by the inhabitants of that island to this day. The author having been told of this, was very desirous to land there when he once crossed the sound, but the tide would not permit. He has seen the current no where of such rapidity as at each side of Inhallow. The sea at its west end, called "The Roste," has a tremendous appearance and roaring with a north-west wind, and ebb spring tide.

In April 1679 several gentlemen in Galloway were denounced rebels by order of council, for non-conformity and conventicles, and among

others, Mackay of Lairg, Mackay of Penningham, and Mackay of Drumbuy; upon the 18th of February 1788, Mackay of Lairg was forfeited in absence for his alleged accession to the rebels at Bothwell: he died soon after, and was succeeded by John Mackay of Penningham, as his nearest heir-male. Parliament 1690 relieved John Mackay of Lairg of his fine for conventicles. In December 1682, Alexander Mackay of Drumbuy and Anthony Mackay of Glencard, then prisoners, were sentenced to be executed at the cross of Edinburgh for their accession at Bothwell, the first Wednesday of July next; but it seems, (says Crookshank) Providence interposed in their behalf, "In the case of Mackie of Drumbowie, (says Hume in his commentaries) December 11th, 14th, and 18th, 1682, the court found it relevant to eleid the libel, that he never was with the rebels but once at a certain place, and went thither to dissuade them, and actually did so, and straightway left them. Upon verdict finding that he had been with the rebels at other places, and that the occasion on which he dissuaded was different from that libelled, he had sentence as a traitor." In the beginning of the year 1685, at the entrance of James to the throne, many gentlemen, and among others, John Mackay of Balgown, who had been imprisoned for conventicles, were released on caution to re-enter to prison when required.

The Earl of Seaforth was joint commissioner with the two archbishops and Dundonald for the suppression of what the military reformers of those times called conventicles; and Lord Duffus commanded the militia in Murray-shire for the same purpose: but it appears that neither of these noblemen were of the most severe. In March 1677 Seaforth had the honour of receiving a letter from the council, reprimanding him for having granted a warrant to the sheriff of Nairn to give some liberty to Mr M'Gilligan, a minister who had been confined there: only that that honour was less brilliant, as Seaforth himself was the person who had seized and imprisoned him.*

* 12th October 1676. Council sent letter of thanks to the Earl of Seaforth for seizing and imprisoning Mr John M'Gilligan an intercommuned minister.—*Privy Council Record.*

Crookshanks mentions that the labours of Messrs M'Gilligan, Hog, and others, were so successful, that many in the northern parts, Inverness, Ross, Cromarty, and Sutherland shires, were enemies to prelacy. "My author," says he, "observes, that on the 8th of May 1683, Sir John Munro of Fowlis was by the council confined to his own house in the shire of Ross, and a mile round it, for his alleged withdrawing from his parish church.* His eminent piety and zeal exposed him to no small sufferings; for besides a long confinement, his estate, which before was considerable, was harassed by several fines and confiscations from which it has not been fully recovered to this day."

The same author, in another place, narrates, that "Mr M'Gilligan, assisted by Messrs Hugh Anderson and Alexander Fraser, administered the sacrament of the supper at Obisdell in the house of Lady Dowager Fowlis, when such an effusion of the Spirit of God was vouchsafed on that occasion, that the oldest christians present declared they had never witnessed the like. The people seemed to be in a transport, and some were almost at that, *whether in the body, or out of the body, I cannot tell:* And even the hearts of strangers were wrought upon: so that though they were persecuted by men, they were owned by God. At this communion they were very providentially kept from disturbance: for the design of that meeting having taken air, Sir Roderick Mackenzie, the sheriff-depute, at the instigation of the bishop, sent a party to apprehend Mr M'Gilligan: but when they came to Alness, the place of his residence, where they expected to have found him, they spent so much time in plundering his orchard, that the forenoon service was over before they got to Obisdell, upon which the ministers retired; and the party, not finding Mr M'Gilligan, marched off, and thereby gave them an opportunity of meeting again unmolested in the afternoon. A heavy fine was laid on this minister for holding conventicles, for payment of which an adjudication was commenced of a small estate he had in Ross-

* The minister of that church doubtless was one of those undutiful pastors described by Burnet: and probably was the same who persecuted Widow Fearn, as will soon be noticed.

shire: but the lords, through the interest of Lord Tarbet, put a stop to the proceedings, and the fine was not exacted."

It appears that George Earl of Caithness, who conveyed his lands to Glenorchy, was obsequious to Charles in forwarding his arbitrary measures, and suppressing conventicles. He obliged all the principal persons in Caithness to sign a bond to that effect. The bond itself is in the sheriff-clerk's office of that shire; and a similiar bond which was signed under the direction of his successor George Sinclair, on the accession of James to the crown.*

In 1678, the council, with a view effectually to prevent conventicles, which after all the plans hitherto devised, and cruelties used for that purpose, were increasing, proposed that an army of highlanders should be raised to quarter on those districts in the south and west of Scotland, where conventicles abounded most. In order to carry this measure into effect, the Marquis of Athole, the Earls of Mar, Murray, Caithness, Perth, Strathmore, and Airly, mustered about 6000 men, who being joined by numbers from Angus and other places made up an army of about 10,000. The spoils, ravages, and oppressions which that, what was termed *the highland host,* committed, exceeded what is usually done by an invading army in an enemy's country. It does not appear that any

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* "*At Thurso 4th November* 1674 The s^d^ day compeired the Earle of Caithnes as one of his Majesties honourable privie councill and by veirtue of ane commission granted to his Lo^p^ by the s^d^ hon^able^ councill enquired if y^r^ was any conventicles keeped w^t^in the presbie. and shyre of Caithnes, and the brethren of the presb^rie^ shewed his Lo^p^ y^r^ was none neither did they feare any to be for q^lk^ they blessed God." "And the noble lord presented ane bond from the councill q^lk^ should be subscribed by all considerable persons w^t^in the diocie of Caithnes for preventing conventicles and intrusted the brethren of the presbie. y^r^w^t^ to sie it subscribed."

Moreover, the s^d^ noble lord in name of his Majesties hon^able^ privie councill desired that the 29th day of May should be keeped a preaching day in commemoration of his Majestie's hapie restauration to y^e^ exercise of his royall dignitie and absents from the ordinances on y^t^ day should be delated to his lo^p^ and he should present the same to the councill to be censured as ther wisdoms thought expedient."—*Presbytery Record of Caithness.* It would appear from this that the 29th of May had not been hitherto observed in Caithness. Patrick Forbes was bishop at that time.

from Ross, Sutherland, or Mackay's country, were engaged in that discreditable service.

There were few cases of a more clamant kind than that of Christian Ross, widow of Andrew Fearn of Pitcallion in Ross-shire. She was left with twelve children, six of whom could not put on their own clothes. The parish minister, contrary to the remonstrances of Lord Seaforth, had obtained from the privy-council a warrant to a military officer to seize all her goods, attach the rents of her small estate, and imprison herself. The two former were executed with the utmost rigour; and for the safety of her person she was obliged, in the night-time in winter, accompanied only by her eldest son, then twelve years old, to travel to Lord Reay's country, where she remained for three months, leaving her young destitute family to the care of Him, "*who feeds the young ravens when they cry;*" after which, the worthy Lady Strathnaver, daughter of Lord Cochrane, took her to Dunrobin, and kept her in a close chamber for two months. Thus she continued under hiding from one place to another for two years, her children during that time having been taken up by Ladies Strathnaver and Reay, Sir George Munro of Culrain, Sir John Munro of Fowlis, the lairds of Skibo and Brims, and other humane persons, until the year 1686, when, by the interest of friends, the council allowed her to return home. All that could be alleged against her were, that, in her husband's time, he had received a godly minister, Mr Thomas Ross, into his house, where he occasionally preached within doors to a small audience; and that after her husband's death, she had, very seldom, some meetings in her house of a few poor people hearing the gospel preached in purity; and that she entertained Mr Ross and a few other persecuted persons who had happened to come her way.*

King Charles II. died on the 6th of February 1685, under strong symptoms of having been poisoned, which was done, as many thought, by procurement of his brother, who was impatient to get to the throne.

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* Scots Acts of Parliament.

The Bishop of Salisbury says, "he had an appearance of gentleness in his outward deportment, but he seemed to have no bowels nor tenderness in his nature; and in the end of his life he became cruel." Another writer says, "If he had any good qualities, his dissimulation and hypocrisy, his horrid perjury, wickedness, and profanity, threw a gloomy and black veil over them. In short, the best way to judge of his character is to consider the history of his reign."

The Duke of York was immediately proclaimed king in London, by the name of James II. and in Scotland by that of James VII. Burnet writes, "It was a heavy solemnity in London: few tears were shed for the former, nor were there any shouts of joy for the present king. A dead silence, though without any disorder, followed it through the streets." He took the English coronation oath, but not the Scottish. James was more consistent than his brother; he openly avowed his being a papist; and yet the managers of Scotland, a pack of abject slaves, who had not a drop of their ancestors' blood in their veins, admitted him without any terms. Popish worship was set up at Holyrood-house;—jesuits flocked into the kingdom, and set up gratis schools in all the principal towns; and papists were preferred to places of power and trust. Rapin says, the council of Scotland blindly obeyed the king; and there was none in public office, who was not, or at least who pretended not to be, of his principles. It is not, he adds, to the whole nation that this blind obedience is to be imputed, but to their governors, who were but a small part of the people.

CHAPTER XIV.

Soon after his accession, King James having been informed of the superior qualities of Colonel Hugh Mackay, who had been long in the service of his son-in-law, the Prince of Orange, called him over to Eng-

land, in order to assist in quelling the rebellion raised by the Duke of Monmouth; after which, having appointed him commander-in-chief of the forces in Scotland, he sent him thither, and a letter to the council, ordering them to admit him as a member, which was done accordingly.* He did not, however, remain long in Scotland at that time, but returned to Holland, so as to avoid having any hand in supporting the arbitrary measures of James and his pliant courtiers; on which account James ever after retained a mortal hatred at him, which appeared by his being one of the six persons who, Dalrymple in his memoirs states, were to be excepted from a general indemnity, which James intended to publish after he had gone to Ireland. It was a maxim with Mackay never to aid what he considered a bad cause.

This Hugh Mackay was son of Colonel Hugh Mackay of Scowry formerly mentioned. Having been introduced to King Charles II. he obtained from him a recommendatory open letter, dated Whitehall, 21st August 1664, addressed, *ad omnes populos*, which is still in possession of his descendants in Holland. After being for a short time in France, he obtained a commission in the Venetian service, where, for his gallant conduct, he received a medal of considerable value. From thence he went to France, and was a captain in Douglas' Scotch regiment, when Louis XIV. invaded the Netherlands in 1672. He was in the detachment with which Marshal Turrene took Bommel in the month of July of that year; and was left there in garrison, billeted on a Mrs de

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* 3*d July* 1685. "A letter is received from the king, making Colonel Hugh Mackay a major-general, dated Whitehall, 4th June 1685."—*Privy Council Record.*

Same date. "The letter underwritten, direct from the king's most sacred Majesty to the privy council, for receiving Hugh M'Kay of Skowrie, major-general of his Majesty's forces here, to the privy council, being read in council, was ordered to be recorded in their books, of which letter the tenor follows."—*ib.*

"James Rex. &c. Whereas in consideration of the loyalty and abilities of our right trusty and well-beloved Hugh M'Kay of Skowrie, major-general of our forces in that our ancient kingdom, we have thought fit to add him to our privy council there; these are to authorise and require you to admit and receive him in that our privy council, &c. Given at our court at Whitehall, the 18th day of June 1685, and of our reign the first year."—*ib.*

Bie, a respectable rich lady, widow of the Chevalier Arnold de Bie of Wayesten, descended of an ancient noble family in Holland, but knighted in France, and had been burgomaster in Bommel. This lady's maiden name was Margaret Puckler; she was of an ancient family in Amsterdam, which is still of the first rank in that city; her husband had died some time before, leaving one son and five daughters. Captain Mackay and the third daughter, Clara de Bie, formed an attachment for each other; but although he was a favourite with the mother, she was averse to their union, as he was in the service of the French king, the enemy of her country. Upon the first rumour of the invasion, Madame de Bie had sent her daughters to Dort; but Louis having ordered all such as had fled, to return, under severe penalties, and promised them protection upon their compliance, she recalled her daughters, which gave an opportunity to Captain Mackay to become acquainted with Clara. Matters having been accommodated between England and Holland, Captain Mackay left the French service, and came over to the Prince of Orange, who appointed him a major in the remains of the Scots brigade; and as the ground upon which Madame de Bie had objected, was now removed, he and Clara were soon married. Graham of Claverhouse had served along with Mackay, both in France and Holland. At the siege of Grave in 1674, the lieutenant-colonelcy of the regiment which Mackay afterwards commanded, had become vacant; and as the Prince of Orange preferred Mackay to Graham, who also had expected it, the latter left Holland in very great displeasure, and returned to Scotland,* where he became famous, though not for his virtues; and perhaps that disappointment had considerable influence in the opposition which he afterwards maintained to that prince. Mackay was, after the revolution, commander-in-chief of Scotland, in the execution of which office, and indeed in all his proceedings, his conduct was such as richly merited a detailed transmission of it to posterity.

Some time prior to the year 1680, Hugh Mackay, who was then co-

* Information communicated about 1798, to one of the Reay family, by Colonel Æneas Mackay of the Dutch regiment which the general had formerly commanded: he was the general's great-grandnephew.

lonel of a regiment, and having had no prospect of leaving Holland, wrote for some of his near relations to come to that country. Amongst others his brother James, and his nephews Æneas and Robert, sons of Lord Reay, went thither. He took his brother into his own regiment, where, within a few years, he was advanced to the rank of lieutenant-colonel. He sent his nephews to school at Utrecht for a short time, after which they also obtained commissions in that regiment. In the beginning of the year 1687, King James having ordered several British officers who were serving in Holland, to come over to England, amongst others, Æneas, who was then a captain, quitted his company and went to London, and his commission was afterwards given to his brother Robert. The king made Æneas some favourable propositions to enter into his service; but he declined them, probably from the same cause which had formerly influenced his uncle. The king was so much displeased, that no sooner had Æneas arrived in Scotland, than he sent orders to apprehend him as a spy. He was imprisoned for nearly seven months in Edinburgh castle; but soon after the Prince of Orange had landed in England, he was liberated, upon granting his personal bond, to appear before the privy council when called.*

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* 15*th May* 1688. Captain Mackay, lately come from Holland, is imprisoned in the castle of Edinburgh, on suspicion of a secret correspondence with the Prince of Orange or some of his servants."—*Fountainhall's Decisions,* Vol. 1. P. 505.

"I Captain Eneas M'Kay, at present prisoner in the castle of Edinburgh by these presents bind obleidge and enact myself in the books of his Majesties privy councell That I shall compeir before the Lords of his Majesties privy councell whenever I shall be called for to answ^r^ to any thing that can be layed to my charge and that under the penalty of ffive hundredth pounds Starling money in case of faylie consenting to the regration hereof in the books of privy councell and an decreet to be interposed thereto that lers and other needful may be direct hereupon In form as effeirs and to that effect constitutes my prors &c In witness q^r^of wri^ne^ be David Gourly servito^r^ to the clerks of councell I have sub^t^ these presents at Edenburgh Castle the tenth day of December jyvj^e^ eighty-eight years before these witnesss Eneas M'Leod town-clerk of Ed^r^ and Alex^r^ Chalmers souldier in the Castle of Ed^r^."

ÆNEAS MACKAY.
ENEAS M'LEOD, *witness.*
ALEX^R^. CHALMERS, *witness.*

Copied from the original in the General Register-House.

"Captain Æneas M'Kay and his brother Robert, sons of the late Lord Reay," are wit-

Previous to the revolution, protestantism, and alongst with it all true liberty, both sacred and civil, were pushed to the verge of a precipice, hanging over an unfathomable gulf. In France, the security of the protestants was annihilated, by the revocation of the edict of Nantz; Charles, the Elector Palatine, having died without issue, the electorate fell to the house of Newburg, a most bigotted popish family: the Duke of Savoy also had recalled the security which his father had granted to the protestants of Vandois; and the King of Great Britain and Ireland was a professed papist. The Prince of Orange was the only one from whom, as an instrument, any deliverance could be expected. Sir James Stuart, author of the argumentative book, *Jus Populi Vindicatum,* who had been forfeited in 1683, and in 1685 condemned to be executed when apprehended, for his being concerned with Argyle, but who outlived all those troubles, and was afterwards advocate to King William, having corresponded with Fagel at the Hague, in order to know the sentiments of the Prince and Princess of Orange, as to penal laws with regard to religion. Fagel wrote him on the 4th November 1687, "That it was the opinion of the Prince and Princess of Orange, that no christian ought to be prosecuted for his conscience, or be ill used because he differs from the established religion, and therefore they should consent that the papists in England, Scotland, and Ireland, should have as much liberty as is allowed them in Holland; and as to protestant dissenters, they heartily approved of their having an entire liberty for the full exercise of their religion, without any trouble or hinderance; but that they would have those laws still to remain in force, by which the Roman Catholics were excluded out of both houses of parliament, and out of all public employments, ecclesiastic, civil, and military, and likewise those other laws which confirm the protestant religion, and secure it against all the attempts of the Roman Catholics." Several great men, says Wodrow, both from England and Scotland, upon sundry pretences, repaired to the Hague to confer with his highness; and one conveyance

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nesses to a contract of marriage, dated at Durness, 30th April 1687, between their sister-german, Anna, and "Hugh M'Kay, eldest lawful son to William M'Kay of Borley."—*Register of Sasines for Sutherlandshire.*

brought over to England about eighty letters from persons of quality and credit, and carried back answers to the Hague. Many of the bishops and inferior clergy began to forget their old lessons of passive obedience and non resistance. The prince readily agreed to embark in the quarrel, and the states cheerfully consented to give their assistance, as themselves were deeply interested, the ruin of Holland being certain, if Britain was once enslaved, whereas they secured the friendship and aid of three kingdoms, by giving them a king.

The Prince of Orange landed at Torbay on the 5th of November 1688, with an army of about 14,000 men, of which there were six British regiments, under command of Hugh Mackay, who had been promoted to the rank of major-general. Preparative to his momentous expedition, the Prince's fleet and army assembled at Helvoetsluys. The former consisted of 65 armed ships, 70 vessels of burden, and 500 transports. He brought with him 20,000 spare stand of arms, for the use of the friends of liberty in England. "Vast multitudes," says Dalrymple, "were assembled at Helvoet: some to admire the magnificence of the show, and others to take farewell of their relations and friends. All were agitated with hopes and fears: hopes of success, fears of seeing each other no more. As the time of embarking approached, anxieties arose even in the bravest, when they reflected that they were going to attack the bravest of nations. But as soon as the embarkation was completed, the view of their numbers and strength revived the spirits of even the most timid. The fleet was divided into three squadrons, on board of which were troops of different nations. The English and Scots, commanded by General Mackay, a Scotsman of a noble family, sailed under the red flag; the Prince's guards and the Brandenburghers by Count Solmes, a German of still higher birth, under the white; and the Dutch, with the French protestant refugees, by the Count of Nassau, of the prince's family, under the blue flag. In compliment to England, Herbert led the van; Evertzen, a Dutch admiral, brought up the rear; the Prince of Orange, with another Dutch admiral, placed himself in the centre; his ship carrying the flag of England, and his arms, of which the motto was, *Ie mainteindray,—I will maintain;* and which, by a Dutch conceit, he, by an addi-

tion, turned into this motto, *I will maintain the protestant religion, and the rights of England.*"

On the 8th of January 1689, about thirty Scots lords, and about eighty gentlemen, who had gone to London, presented an address to his Highness, requesting that he might take upon him the administration of the government of Scotland, and summon a convention of estates to meet at Edinburgh the 14th day of March next, which was accordingly done; and in order to guard the convention, and prevent tumults during that distracted and convulsed state of public feelings, a large body of men came spontaneously from the western shires, upon their own charges, and having put themselves under command of the Earl of Leven, continued to do military duty until they were relieved on the arrival of General Mackay.

John Lord Reay, it has been recently discovered, died previous to the year 1684. He was twice married: first, to Lady Isabella Sinclair, daughter of George, Earl of Caithness, by whom he had a son, George, who died about the year 1670, without issue, and a daughter, Jane, who was twice married; 1*st*, to Robert Gordon of Langdale; and, 2*d*, to Hugh Mackay of Strathy.* Lord Reay married, secondly, Barbara, daughter of Colonel Hugh Mackay of Scowry, by whom he had three sons, Donald,† Æneas, and Robert; and three daughters, Joana, Anna, and Sibella. Donald married a daughter of General Sir George Munro

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* 22d *February* 1676. Assignation and disposition in favour of John Mackay, apparent heir of Strathy, by "Dame Jane M'Ky Lady Langdaill and relict of umq^ll^ Robert Gordon of Langdaill, of ane band granted by an noble lord John Lord Rae, my fay^r^ and the deceast George Mr of Rae my broy^r^ &c." "of the date the fyftein day of November jaivij sixty-fyve yeirs" "to the said deceast Robert Gordon my spouse" "for the soume of four thousand merks usual Scots money, &c."—*Caithness Sheriff-court Record.*

Sasine in favour of Dame Jane Mackay, Lady Langdale, spouse to Hugh Mackay of Strathy in the lands of Strathy, dated 2nd and 3d March 1676, proceeding on a liferent charter granted by him, dated 2nd March 1676.—*Register of Sasines for Sutherlandshire.*

† Donald Macleod, servant to *Donald,* master of Reay, was attorney at taking an infeftment in favour of Hugh Munro of Eriboll and others, in May 1675.—*ibid.*

of Culrain, by whom he had George, third Lord Reay. Donald had gone with a large company to the forest in the hunting season, and happening to be beside a cask of gun-powder, which accidentally blew up, he was so severely burnt that he died soon after. The general lamentation for his untimely death, being only twenty-two years of age, was such as never was equalled in that country before nor since. His virtues and accomplishments recommended him so much to the people, that he was their idol. It is said that the chieftain of the Abrach branch of Mackays having come with his clan to attend the funeral, his grief was so excessive, that he rolled himself on the ground, and would not get up to accompany the bier, for all the entreaties of his friends; till one, who best knew his temper, came and told him that one of another branch of Mackays was leading the van of the procession, which, if he permitted it, would disgrace himself and his ancestors to whom it belonged, and who had at all periods retained it. The chieftain, aroused by this address, started up instantly, sprung forward, and called to him who had assumed the lead, not to move a foot farther at his peril. The demand was immediately complied with, and the chieftain advanced with his tribe to their wonted place. Another particular friend of his died some years after; and one having signified to him his surprise that he appeared so little affected: he replied, *Och! the death of the master of Reay has left a hole in my heart, that every thing else gets easily through it.* Some notices as to Lord Reay's sons, Æneas and Robert, have been mentioned already, and others will occur afterwards. Lord Reay's daughter, Joana, married William Fraser of Struie; Anna married Captain Hugh Mackay of Scowry; and Sibella married Laughlane Macintosh of Aberardry.*

* The following are recorded in the particular register of sasines for Sutherlandshire, viz. Sasine in favour of Joana Mackay, proceeding on a contract of marriage entered into by William Fraser of Strowie, on the one part; and Dame Barbara Mackay, Lady Reay, taking full burden in and upon her for Mistris Joanna Mackay, her lawful daughter, on the other part, dated at Durness, 21st April 1684. Witnesses, Hugh Fraser of Eskdale, Simon Fraser of Bruach, Captain William Mackay of Kinloch, Captain William Mackay of Borley, and John Mackay of Skerray.—*Fol.* 275. This proves that Lord John was not then alive.

CHAPTER XV.

GEORGE, THIRD LORD REAY.

1683—1748.

Soon after General Mackay's landing in England, he was attacked by severe sickness, from which he had not recovered when king William appointed him commander-in-chief of Scotland, and ordered him thither* with part of the Scots brigade, which had serv-

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Sasine on a contract of marriage dated at Durness, 30th April 1687, between Hugh Mackay, eldest lawful son of Captain William Mackay of Borley, and Anna Mackay, lawful daughter of Dame Barbara Mackay, Lady Reay.—Two of the witnesses are, Captain Æneas Mackay, and his brother Robert, sons of the late Lord Reay, as before stated.

Sasine on a contract of marriage, dated 25th October 1687, between Lauchlane Macintosh of Aberardry and Sibella Mackay, lawful daughter of Dame Barbara Mackay, Lady Reay.

* William and Mary, &c. To our trusty and well-beloved councillor, Hugh Mackay, greeting; We, reposing special confidence in your courage, loyalty, and great experience in military affairs, of all which we have had many signal testimonies, do by these presents nominate, constitute, and appoint you to be major-general over all and singular our forces, horse, foot, and dragoons, already raised, or hereafter to be raised, whether standing forces or militia, or other forces whatsoever, within our ancient kingdom of Scotland, &c. And we do strictly hereby require all officers and soldiers, &c. to obey you as their major-general, &c. Given at Kensington the 4th day of January 1689, and of our reign the first year."—*Privy Council Record.*

The following is part of a song which was sung to the queen at Kensington:

Valiant Jocky's* marched away
To fight the foe with brave Mackay,
Leaving me, poor soul, forlorn,
To curse the hour when I was born.
But I have sworn I'll follow too,
And dearest Jocky's fate pursue
Near him to guard his precious life,
Ne'er Scot had such a loyal wife:
A sword I'll wear,
I'll cut my hair,
Tan my cheeks, once thought so fair:
In soldier's weed
To him I'll speed:
Ne'er sic a trooper crossed the Tweed, &c.

* Sir John Lanier?

Songs entitled "Pills to purge Melancholy," Vol. 2. P. 229. Printed 1719, *Advocates' Library.*

ed in Holland, consisting of the general's own regiment, Brigadier-general Balfour's, and Colonel Ramsay's, the whole scarcely exceeding 1000 foot, the king having withdrawn from them all the old experienced soldiers. Besides these, there were two hundred dragoons sent to Scotland, and two regiments of English horse, to quarter at the border, and wait for the general's orders.

Though he still laboured under the effects of his sickness, being satisfied as to the goodness of the cause, and that dispatch was necessary to the execution of his trust, the general having obtained shipping in England, with some arms for new levies, and such warlike stores as could be spared, he embarked for Scotland, and landed at Leith on the 25th March 1689. The convention received him joyfully, appeared ready to give him every encouragement and support, expressed their gratitude to the king for sending him, and gave the western forces, who had hitherto guarded them, an honourable and thankful dismissal.* These were a number of the same people who were a few months before branded as murderers, assassins, traitors, rebels, &c. and hunted down like wild beasts, but who now appeared in their true patriotic character; and that character, as discovering itself in their disinterestedness, sobriety, and honesty, is declared by the estates, and, by their order, published to the world, and recorded among the statutes of the kingdom.†

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* "*Edinburgh, 28th March* 1689. The estates of this kingdom considering that the king of England, in pursuance of his acceptation of the administration of the public affairs of this kingdom till the meeting of the estates, had sent down Major-general Mackay with some Scots regiments under his command, for the security of the estates, and general peace of the kingdom; they do acknowledge the great kindness and care of the king of England; and do hereby warrant and authorise the said Major-general Mackay to command any forces, either standing or to be raised, with the militia, within this kingdom, to take inspection of the stores, and to reduce any castles or forts, and to dissipate any bodies of men, or number of persons who are or may be in arms against the authority of the estates, or who may disturb the public peace, and to do every thing thereanent proper to the office and trust of a commander-in-chief of the forces of this kingdom."—*Records of Parliament.*

† *Same day.* The meeting of the estates of this kingdom, taking into their consideration, that by the sending of the standing forces into England, the estates were destitute

Scotland had not in any period of her history been in a more critical situation than now. The kingdom was divided into formidable and powerful parties: about a hundred and five landholders appeared openly in support of King James,* and the bishops and their dependants were on his side; the Duke of Gordon commanded the castle of Edinburgh; many who stood neuter while matters were in suspense, were ready to declare for James if they saw the balance in his favour; and even in the meantime they maintained correspondence with him and his friends; and he was supported by France, together with the great majority of Ireland, besides many in England. In this state of matters William most wisely pitched upon General Mackay as the fittest person to be sent to Scotland. Of his superior qualifications as a man, an officer, and a Christian, his prince, whom he had so long served, was abundantly satisfied; and being a Scotsman, and a Highlander by birth, he studied to conduct himself with firmness tempered with lenity in both characters.

Claverhouse, who had been created Lord Dundee by James, for his foul and bloody services, joined the convention, and at the same time treacherously carried on a secret correspondence with the Duke of Gordon, which being discovered, he fled, and after having an interview with

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of that guard and defence which was proper and necessary in this conjuncture, and that several persons well affected to the protestant religion, at the diet of the meeting of the said estates, having repaired to this city of Edinburgh, from Glasgow, the shire of Argyle, and other western shires, did, at the desire and by warrant of the estates, put themselves to arms, and since have so continued watching and warding, under the command of the Earl of Leven, and demeaned themselves soberly and honestly, and been active and instrumental to prevent tumults, and to secure the peace and quiet of this meeting and place. And there being now some Scots regiments arrived here, under the command of Major-general Mackay, the estates do therefore hereby declare, that what is past is good, acceptable, and seasonable service, and do approve the same; and hereby give orders to the said Earl of Leven to disband them, and allow them to return with their arms to their respective homes; and do return their thanks to the persons who have been employed: and ordains these presents to be printed."—*ibid.*

* 3*d January* 1690. The rents of about a hundred and five landholders were sequestrated for their rising in arms against government.—*Privy Council Record.*

the duke over the castle wall, he collected a party of sixty horse of his own regiment, which had deserted from England, and rode furiously from place to place persuading many to rise in behalf of the late king. The castle was blockaded that no intelligence might pass to or from the duke; and a proclamation was issued that none should correspond with him. The convention having ordered him to surrender the castle, he sent them proposals consisting of nine articles, some of which could not be acceded to, as they endangered the public safety; but willing to go every length in their power to secure him and his friends from all consequences of the past, they offered him terms to this effect: That on the day he should leave the castle, none should have charge of the posts and avenues of the city, excepting its guards, and Leven's regiment; that he should be allowed such retinue as he chose to attend him for fourteen days after he left the city, but that the number should not exceed forty, he giving security for their good behaviour on their journey homeward; that he and all his friends and dependants should have a full indemnity for the whole of their past conduct; passes should be granted to all the popish clergy he should name, they giving security for their departing the kingdom within twenty days; that he and all papists within the castle, not prohibited by law, should be allowed to live where their lands are situated, or their business renders necessary, they behaving themselves peaceably; those in the castle might take away their goods in the day-time, without being burdened to prove the goods or any part thereof to be theirs; but if others should claim the goods, and prove the same to be their property, they must give them up to the extent of such proof; that the deputy-governor and one servant might remain in the castle for eight days after the surrender, to arrange his affairs; and that the duke and all his officers in the castle, with other gentlemen, might carry out their arms, but none other, only that such others whose arms belonged to themselves should be paid to the amount of their value. The duke, however, refused to give up the castle on these conditions.*

* Records of Parliament.

Averse to proceed to extremities, the convention recommended to General Mackay to parley with the duke if he signified a wish to that purpose, and to report to them the result; and in the meantime ordered the city of Edinburgh to furnish the general with horses, carts, and waggons, as he should demand, for carrying arms and ammunition from Leith to such places as he should direct; and to supply him with packs and sacks of wool preparatory to a siege. They also ordered the Earl of Mar, keeper of Stirling castle, and the Marquis of Douglas, governor of Leith, to provide General Mackay with such cannon and other artillery and carriages as he should find necessary.* The duke, however, upon more mature reflection, surrendered the castle without making any stipulations, and referred himself to the king, who, after he had been imprisoned for sometime, ordered him to be set at liberty.† His confinement was necessary particularly as a check upon his vassals.

From the part which Dundee had hitherto acted, he was aware

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* *Records of Parliament.* The general himself says, that on his arrival he had ordered a trench to be made about that part of the castle which looks towards the country, to prevent all communication with the duke, and placed guards and sentries towards the city for the same purpose, as these were all that could be done, both on account of the small forces he had with him, the want of artillery, and the natural strength of the castle.—*General Mackay's Memoirs.*

There is in the Advocates' Library a manuscript of the general's memoirs, which evidently has been transcribed from a journal kept by himself. Though the truth of all that it contains appears *ex facie* of itself, and may be relied on, it is cause of regret that with regard to order, manner, and style, the transcriber has been considerably deficient: otherwise its contents, as being intimately connected with one of the most momentous periods of the British history, is so important that it should have been long ago published to the world. It cannot therefore be deemed foreign to this work, which chiefly concerns the house and clan of Mackay, to introduce the principal parts of the narrative, which also refers so much to one of whom it may be said, that he was the most illustrious of the name, as well as to the clan themselves, as being serviceable actors in such a great national struggle for liberty.

† 14*th Jan.* 1690. Letter from the king to the council. Whereas we understanding that the Duke of Gordon did surrender the castle of Edinburgh without making any capitulation, and did entirely refer himself to our determination, therefore we do authorise and require you to set him at liberty, he giving his word of honour not to act any thing directly or indirectly against us or our government."—*Privy Council Record.*

though he joined the convention, that little confidence would be placed in him, and that consequently his countenancing the new measures would not suit his views. It was indeed suspected that at the first meeting of the estates, he and the bishops had formed a plan to seize such members as were most zealous for King William, and this suspicion was confirmed by the Duke of Gordon's refusing to deliver up the castle in terms of his promise to that effect; and also by Dundee's deserting the convention; but the arrival of four hundred men from Glasgow, and a strong body from the western shires, disappointed them. Dundee, while he ranged about Edinburgh with his company of horse, wrote a letter to the convention, stating, as his reason for withdrawing from them, that he should, had he remained, have been assassinated by the west-country people, in revenge of what they considered his cruelties to them and others during the late reigns. It was also believed that the communication he had held with the duke was in reference to his betaking himself speedily to arms.

Soon after his arrival, the general made it his business to inform himself as to the true state of the kingdom; he soon discovered that a strong faction existed in the convention against the president Duke Hamilton. The latter had proposed that at first hand the crown of Scotland should be surrendered to William; but this was opposed by many from a jealousy of having their private views frustrated in proportion as he procured the royal favour. The general, on that and other accounts, and as, in the meantime, he held the command of the forces chiefly from the estates, postponed making use of the instructions he had received from the king, contenting himself to act in concert with the convention, in so far as their measures tended to promote the king's interest.

A considerable number of persons besides Dundee had deserted the convention, and were active in inflaming the minds of many against the infant government. They were all, including Dundee, summoned to answer against a certain day. The only answer returned by the latter,

was a disrespectful and insolent letter which he sent to the convention. He was in consequence denounced rebel.

Some grounds of suspicion had been communicated to the general, regarding the fidelity of the Earl of Mar, heritable governor of Stirling castle, upon which he proposed to Mar, that as the castle, which contained several deserters from Buchan's regiment, was weakly defended, he should send him fifty men and a captain, who, as the other officers in the castle were subalterns, should have the command in Mar's absence. "By which invention," says the general, "that first post in the kingdom, was, by fair means, without giving offence or suspicion to the earl, secured for their Majesties' interest."

Agreeable to the king's instructions the general furnished money for recruiting each of the three regiments he had brought with him, to the number of 1200; and advanced a sum to the Earl of Leven, to raise 750 men. He soon found that the kingdom was to be involved in intestine war. Dundee, and several other noblemen who had deserted the convention, gave too many proofs that they intended to restore the former dynasty; many were jealous of the reviving power and greatness of Argyle, and in particular several of the Highland chieftains on whose estates he considered himself to have claims; besides, that some of them held in possession parts of his lands by gifts from the late king upon his father's forfeiture. "Judging," proceeds the general, "that those dispositions would tend to a rebellion, and not questioning but what was at the root, self-interest and preservation, as well in Dundee and the other offended members of the convention, as in the combined Highlanders, but King James's interest would be pretended to make their party the more formidable." He therefore dispatched an express to Sir Thomas Livingston, to hasten his march to Scotland, as also to bring hither Lord Colchester's regiment of horse; but this order having been countermanded by the convention, after the revolt of a battalion of Dumbarton's regiment, those troops did not arrive till a month after, which operated considerably to check the general's hopes of suppressing the rising in its bud, and without bloodshed. Upon the arrival of Sir Thomas, the general

ordered him to Stirling and its vicinity, both to secure these quarters, assisted by the foot he had previously sent thither, and to be as near as possible to the shire of Angus, which was almost wholly disaffected, and where Dundee lay with his body of horse.

Finding the rising too likely to become very formidable, from the general disaffection of the northern districts, the borders, and several of the principal towns, the convention resolved to levy, on Scots pay, ten regiments of foot, consisting of six hundred men each, and twelve troops of horse, besides three hundred dragoons, and accordingly granted commissions and distributed money to such as offered their services, and were considered well affected, with power to the colonels of foot and captains of horse to choose all their officers; "whereby it fell out," says the general, "that those troops never came to any perfection, though, during the first six or seven months, very punctually paid, being all noblemen and gentlemen of no service, and who chose the officers of their troops, as they had a kindness for their persons, or as they judged them popular to get a number of men together: the disorder of those forces helped not a little to involve him presently in the contest, while he could neither see them, nor issue orders for their formation or discipline."

About the 20th of April, Sir Thomas Livingston, in consequence of orders from the general, endeavoured to surprise Dundee in a country house of his own at Glengilby; but though the design was secretly and promptly proceeded in, Dundee, who appeared by some means to have been apprised of it, fled the day before Sir Thomas had begun his march. The general having been informed of this, and that Dundee had marched northward, he judged it more necessary that he should proceed immediately to the north, than to remain longer in Edinburgh, particularly as William and Mary had lately been declared king and queen of Scotland; and as the convention was on the eve of being adjourned till the king's return from Ireland, and his pleasure should be known both as to the acceptance of the crown, and changing the convention into a parliament. He communicated to Duke Hamilton his purpose of going north, and his reasons for it, namely, to prevent, as far as possi-

ble, Dundee from using his arts, which were neither few nor feeble, to persuade the nobility and gentry in these districts to concur in his measures: The general had already sent the master of Forbes to the north to act as a check upon the Duke of Gordon's numerous friends and followers, who were, to a man, ready to rise in opposition to government; to endeavour to abate the fervour of others, who might be allured by Dundee's persuasions; and to raise as many men as he could in defence of the public interest; and that he (the general) considered it most necessary, upon receiving advice from Forbes, to whom he had given written instructions for regulating his conduct, to repair northward with as many troops as could be spared from the blockade of Edinburgh castle, and with safety to that of Stirling; besides that, he had sent frequent orders to Colchester's regiment to accelerate their march to Scotland, and who had then arrived. The duke reluctantly consented to his leaving Edinburgh, as the south was in such an unsettled state, and that the danger would be greater when so many troops were withdrawn from it: on these accounts the duke was of opinion that the general should give the command of the northern expedition to some other person.

As Colchester's horse were much fatigued and cut in their backs, the general chose only a hundred and twenty of them, together with the major and two captains; these he sent to Angus-shire, accompanied by two hundred chosen men of the Scots brigade, with orders to remain there till his coming. Knowing that it would be of great importance to secure the Marquis of Athole's favour, of whom there was some suspicion, the general communicated to him his design, representing to him at the same time, that if he followed his advice, who wished well to his person and family, he had it now in his power, by acting in concert with the general in his intended expedition, to be of such essential service, and to give such proof of his loyalty to their majesties in the beginning of their reign, as could not fail to secure him and his house their favour during their lives. Athole made many protestations of his zeal for the king and queen, and in behalf of the protestant interest: upon which the general suggested to him to order his chamberlain or factor, Stewart of Ballechan, to have in readiness a body of four hundred

of his best Highlanders, to obstruct Dundee's march to the south through any part of his bounds, when he should retire before the general from the north. To this Athole readily acceded, and pledged himself to do so; and, as the general understood, he afterward sent such an order to Stewart, but only when it was too late: so that not only was there nothing done to intercept Dundee, but he and his company were kindly received by Stewart as friends. This the general regretted much, because, says he, "by these means Athole was lost to the service, who, had he been got thoroughly engaged in it, would contribute as much as any subject in Scotland to the speedy settlement of the kingdom in peace."

The general also engaged the Earl of Mar to order a like number of men in the heights of his district to intercept Dundee, who, if obstructed in Athole, would endeavour to pass by the braes of Mar, that nobleman having by this time given evidence of his attachment to the present government; he likewise directed the laird of Grant, who also was then in Edinburgh, to hasten his journey to the north, in order to prevent Dundee from passing through any part of his estates, "and also to cause guard all the fords of Spey," says the general, "which he might easily have done had he used diligence and followed his directions, but instead of that, Grant staid some days after the general in Edinburgh, while he believed him before him to the north: which wrong step of his was certainly without any design of prejudice to government, though highly punishable had he been a man of service." Thus, in consequence of Athole's insincerity, Grant's delay in proceeding to the north, and also the death of the Earl of Mar, which happened soon after, the general's plans were much disconcerted.

Before leaving Edinburgh, the general had an interview regarding the disposition of the Highlanders, with Lord Tarbet, who he considered the ablest politician in Scotland. The latter affirmed that it was neither regard to James, nor dislike to William, that influenced those chiefs, or at least the most knowing of them, particularly Cameron of Lochiel, who was most interested in the quarrel, and, by his cunning, most successful in seducing others; that the opposition rose chiefly from

an apprehension that Argyle, whose predecessors during their greatness always had disputes with almost all the families of the Macdonalds, to the ruin and extirpation of many of them, would, when restored to favour under the present government, renew those feuds; that Lochiel, by a gift from James, held some of Argyle's lands, which were forfeited in the reign of his brother Charles; and that several other Highland chiefs were in arrears to Argyle as their superior.

These doubtless were the prime causes of their opposition in the outset; but after they had actually joined Dundee, they were encouraged by hopes of powerful assistance from Ireland, "and more," adds the general, "by the divisions which shortly shewed themselves in parliament, splitting the party which at first appeared most zealous for their majesties' government upon account of the session; whether out of tenderness for the common interest of the subject, or selfish ends, I leave it there; the subsequent behaviour of those called the country party making the latter seem the most probable: it was pretended for the king, but certain it is, as may be demonstrated, that the court party, as it was called, drove their own more than the court interest; so that on all sides self-interest lay at the bottom."

Tarbet proposed for the general's consideration, a measure by which he believed the Highland chiefs would be pacified, namely, that the king should discharge all Argyle's claims over their lands, affirming that L.5000 Sterling would be sufficient for the purpose, excepting with regard to M'Lean, who also would be contented by the completion of a transaction he had in part gone into with the late Earl of Argyle. The general at once approved much of this measure, and wrote immediately to Lord Portland, the English secretary, recommending its adoption; who soon returned an answer, signifying that the king was pleased with the overture, and that Tarbet should see these matters adjusted. This letter the general, who had received it on his march to the north, transmitted to Tarbet, with one from himself; but as he afterwards found, government instead of entrusting Tarbet, employed Campbell of Calder, Argyle's kinsman, to

manage the business; "in whom," says the general, "the highlanders concerned, could not be supposed to repose much confidence; nor did his behaviour in after times testify much, that he meant very sincerely with the government, though a privy councillor." The general, finding that the king approved of the measure, wrote twice to Lochiel on the subject, but had no return; he also wrote to Glengarry, who sent him an answer, but instead of listening to the proposition, reminded him of the conduct of General Monk in restoring King Charles: "which broke off all farther thoughts and endeavours of accommodation by the general."

The general left the command of Edinburgh to Brigadier Balfour, and at the same time wrote to Sir John Lanier, who lay at the borders, requesting his coming to Edinburgh during his absence; he also caused arms to be distributed to the presbyterians in the western shires, who, of all others, were the most zealous and forward in the king's service, and for the protestant interest; and the principal persons among them waited on him, and from time to time communicated to him accounts of their proceedings, and received instructions for regulating their conduct.

Having ordered his rendezvous at the town of Dundee, the general himself marched thither, and leaving some there under command of Lieutenant-Colonel Livingston, to keep the disaffected county of Angus in awe, he marched to Brechin, where he halted for the night, his party, both horse and foot, not exceeding 450. From thence he dispatched his nephew, Major Æneas Mackay with fifty dragoons, and an equal number of foot, to seize on the north-water bridge, the ordinary passage to Fettercairn, where he was to halt till next morning, taking care to permit none to pass before him, and to fall into that village by break of day, having half of his troops in a body, and searching the houses with the other half, that perhaps he might seize Dundee, who, the general had been informed, was to lodge there that night, having hitherto had no certain intelligence as to his movements northward. This plan had certainly succeeded, had not Dundee been apprised of it by a certain offi-

cer, as was suspected, who was on his way to the north to levy a company, and had seen the general crossing the Dundee ferry.

Finding next day, that only forty horse were fit for his present service, the general left a major, who was sickly, at Brechin with the residue, amounting to eighty, all much disordered, and marched to Fettercairn, where Major Mackay told him, that Dundee had advanced within a few miles of that village; but on receiving information that the general was in pursuit of him, he had taken some other route, of which he was ignorant. The general dispatched on country horses, several peasants, to whom he gave some money, and a promise of more upon their return with certain notice as to Dundee's movements. On returning, they reported that Dundee, understanding the general's advance, had made a feint to pass by Braemar to Angus, but that after some miles march, he had altered his course, and turned down towards Strathdon and Strathbogy, where he and the Earl of Dunfermline, who had married the Duke of Gordon's sister, were endeavouring to raise the duke's vassals.

Having received this intelligence, the general marched without halting, till he had passed the river Dee at Kincardine, where, by an express from the master of Forbes, he got certain accounts of Dundee's motions; and next day Forbes himself came to him with forty gentlemen of his name, all on horseback, together with from 5 to 600 men on foot, "who were so ill armed, and appeared so little like the work, that the general, thanking the master for his appearance for their Majesties' service, ordered him to dismiss those countrymen, with orders to come together, whenever any party of the enemy threatened their own province, desiring him to bestir himself as much as he could, to make friends to the government; which the master did observe very zealously, contributing all along, together with Sir George Gordon of Edinglassie, to keep two considerable and very disaffected provinces in awe, under the obedience of their majesties' government."

On his arrival at Strathbogy, the general got notice that Dundee had crossed the Spey, twelve miles from that place, where he met with no impediment, through the laird of Grant's omission before referred to.

Though the general's party was much weakened, he resolved to pursue Dundee speedily, to prevent him either from augmenting his followers, or from drawing his highlanders to the low country, to compel such as were reluctant to join him. Next day a gentleman delivered to the general an intercepted letter from Dundee, who was then near Inverness, addressed to the magistrates of Elgin, signifying that he had accidentally met with a Colonel Macdonald accompanied by nearly 1000 brisk highlanders, with whom he intended to turn the chase upon Mackay, and requesting the magistrates to provide quarters for him and these men, as he was to be at Elgin the day following.

Mackay now felt much at a loss, as to which course it was best for him to pursue. His troops were too few to oppose Dundee's numbers, and should he happen to sustain a defeat, the enemy would profit much by it, and it would prolong the contest, and render it the more severe and bloody: because such a defeat would afford Dundee an opportunity to command the whole of the north, by fair or foul means, to declare for him, before any sufficient body of troops could be got to restrain him; and, on the other hand, to retire southward, or even to halt at the Spey, would give him occasion to become master of Inverness, together with the shires of Murray, Ross, and Caithness, the greater part of all which favoured him, besides the disparagement and loss to government, to be so soon obliged to act on the defensive. Having duly weighed these matters, and relying on some assistance from the men of Sutherland, the Mackays, Grants, and Rosses, the general resolved to push forward, and accordingly lodged in Elgin the same night that Dundee was to have been there; and in the meantime he dispatched a courier to order the English horse he had left at Brechin, to come up with all possible speed. "So desirous of action were the troops," says he, "that the 200 old foot he had with him, kept the horse and dragoons at the trot, betwixt Spey and Elgin, where he arrived with so much day, that he had time to view the ground, and post his guards in advantageous places, resolving to halt there till the rest of the horse should join him, dispatching presently well-affected persons of the country towards Inverness, both to encourage

the inhabitants to stand firm to the government, with assurance of speedy relief, and to get news of the enemy; sending at the same time, messengers to advertise the Earl of Sutherland's men, with those of the Lord Reay, Balnagown, and Grant, to be in readiness to march with their best arms, upon his first orders."*

After remaining two days at Elgin, having been joined by the English horse from Brechin, and directed Grant to have his men in arms, ready at a call, Mackay marched straight towards Inverness, and in the meantime wrote to Lord Reay, who was then but a youth, to send him 200 chosen men, under command of two principal gentlemen :† and also to Ross of Balnagown, to come with 100 men, till he saw what course matters might take. On his arrival at Forres he was informed that Dundee, unwilling to hazard an action, had retired from before Inverness,

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* The general here makes the following remarks: "He sent to all the heritors of Murray, to appear with their best horses and arms, after the usual way, when they were called out to the king's service; but their conduct sufficiently testified, that they were not so fond of the change as might be reasonably expected of men so newly delivered from the greatest of all evils, temporal and eternal slavery, the least whereof was sufficient to make the heathens venture all, rather than submit to it. But Scotland was at this time sufficiently prepared for the yoke; by the popish design, for the introduction whereof, the laws, which proved an obstacle, must be removed out of the way; by the clergy, who, to favour that design, must, in choosing them, be such as would preach what might serve to the purpose; and by the ministers of state, particularly the secretaries, who followed closely upon Lauderdale's maxim, of governing that kingdom by absolute power, and refined at every change, according to the capacity of the person." "But we shall leave this subject to the learned, only adding in general, that in all the progress and marches of the general benorth Tay, he remarked no true sense of the deliverance which God had sent them, except in very few; and that the people in general were disposed to submit to, and embrace the party which they judged most like to carry it, their zeal for the preservation of their goods being in them far beyond the consideration of religion and liberty; which he attributed to their gross ignorance, occasioned by the negligence of their ministers; besides that their doctrine urged mostly implicit obedience to the higher powers, without distinction or limitation, whether it was more lawful to obey God than men when their commands meet in opposition, or whether a prince can be called the higher power, without having the legislative as well as the executive part of the government in himself alone."

† These probably were Captain William Mackay of Kinloch, who had before served in Dumbarton's regiment, and Captain Hugh Mackay of Borley.

and marched towards Athole by the heights of Badenoch. At Inverness the general was joined by 500 men of the Mackays, Grants, and Rosses, which, together with his own few troops, were all on whom he had to depend. He ordered the palisading of all the avenues, entries, and principal streets of the town, and called out the inhabitants, whom he found to be 300 men well armed, and resolute in their own defence; and also directed Lord Strathnaver and the laird of Grant, to levy with all speed the regiments, for raising of which they had taken commissions; "and to arm so many of them as they could, with such arms as usually Highlanders make use of, most of them being of that sort of people." Meantime he called the principal heritors of the Mackenzies and Frasers to come to Inverness, that he might learn how they stood affected towards government: but he found them partly refractory, and partly irresolute, and all of them more inclined to oppose than to assist him.

In these circumstances, considering that not only his own credit, but, which was more, the interest of the service, would suffer greatly, if he should return south before leaving the northern districts in a more settled and secure condition, the general dispatched an express to Colonel Balfour, ordering him to hasten Colonel Ramsay with 600 of the best men of the three Dutch regiments, which he had no doubt were by that time well recruited; and for his more speedy junction, to march by the nearest course over Athole and Badenoch, in which latter district "the general was to meet him, in case Dundee and the Lochaber-men should form a design upon him."

"Balfour having received the general's orders," says the latter, "made the detachment under Colonel Ramsay, dispatching him presently forward; but by misfortune, or rather Providence, whose directions are above our reach, a fleet of the Holland herring busses appeared upon the coast, at the mouth of the frith, the same day that Ramsay was busy to pass his detachment over from Leith to Burntisland, which the government supposing to be a French invasion, being greatly alarmed, they countermanded Ramsay till they had discovered the truth of the matter, which hindered him two or three days, and proved the occasion

of all the difficulties and hazard for the service wherewith the general had to wrestle, with a handful of men, for two or three months thereafser. Meantime he laboured to have continual news of Dundee and the Highlanders."

While retiring from Inverness to Athole, Dundee, having consulted with some of the highland chiefs, and corresponded by letters with others who lay at a distance, to draw assurances from them to join his standard in the service of King James, appointed a place of rendezvous where they all should meet. He was well received in the Athole district, and particularly by Stewart of Ballechan. From thence he descended to Perth, where he seized the laird of Blair, together with his lieutenant, and two other officers, whom he led prisoners on his marches for six weeks, and then sent them to the Isle of Mull, where Blair died in consequence of fatigue and bad usage.*

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* Lieutenant James Colt, one of those taken prisoners, and afterwards a witness for the crown in the action of treason brought against a number of Dundee's adherents, "depones, that he was present when the said viscount (Dundee) attempted to attack the town of Dundee, and saw him draw up his men with his armour upon him; and farther depones, that he was present with the said viscount upon the first or second week of June 1689, when, after the burning of the house of Ruthven in Badenoch, the said viscount marched after the general—Major Mackay, to the laird of Edinglassy's house, and plundered it; and that the deponent was carried back prisoner by the viscount when the viscount retired to Lochaber, being pursued by the general—Major Mackay: and that from Lochaber the deponent was sent prisoner to Mull; and depones, that when he was taken prisoner, he heard the viscount speak these words, viz. 'You take prisoners for the Prince of Orange, and we take prisoners for King James, and there's an end of it.'"—*Records of Parliament.*

18*th May* 1689. Letter from Lord Ross, by order of the committee of the estates, to the general: "Sir, your letter to the Lord Ross was this day communicated to the committee of estates, who do approve of your procedure, and render you hearty thanks for your care and conduct in that affair; and your letter to Sir John Lanier, having been also imparted to the committee, is dispatched to him. I doubt not but before this time you have received the committee's letter, giving notice that the Lord Dundee having come to the town of Perth, seized the laird of Blair, and the laird of Pollock, his lieutenant, whom he detained prisoners; and he having thereafter attacked the town of Dundee, the committee did write to Sir John Lanier to send hither Berkly's regiment of dragoons, and Hasting's and Lesly's regiments of foot, who are come, and ordered to march; the regiment of dragoons to quarter at Couper in Angus, and one of the foot to quarter at Perth, and the other at Forfar, there to attend your orders."—*ibid.*

"Dundee having ranged some days through the provinces of Angus and Perth," says Mackay, "both very ill affected, and got the number of his horse augmented, which was his principal errand there, he braved two troops of Livingston's dragoons, which had been left at Dundee under the lieutenant-colonel thereof, by which occasion he, the lieutenant-colonel, shewed that he was either a traitor or a coward: for notwithstanding he was at least as strong as Dundee, and his horse in better case, he did not budge out of the town."

Dundee then retraced his steps to the highlands, which fully convinced Mackay that Athole had falsified his engagement; and having thence concluded that he or his dependents were not to be trusted, he dispatched several couriers to Ramsay, with directions how to order his march, so as he might not be intercepted. Not only, however, had Ramsay been retarded through the mistake occasioned by the Dutch busses, but some of those couriers, from an apprehension of being seized by the Athole-men, returned without executing their trust, and the last of them was taken and detained prisoner by Stewart of Ballechan, who also seized Mackay's letter from him, and sent it to Dundee.

Ramsay having arrived within twelve miles of the place where the general was to have met him, he found the Athole-men in arms, who, though they offered him no opposition, magnified the numbers that had joined Dundee, and the danger of his being intercepted in such a mountainous country where he was a stranger, to such a degree that he, Ramsay, thought it imprudent to proceed, and he therefore returned with all speed to Perth. On the morning before he had resolved to return, he had sent an express to the general, informing him of his being advanced so far, and of his intention to lodge at Ruthven in Badenoch, where the general had placed a garrison of Highlanders. This express came to the general at Inverness on Saturday night: upon which, having ordered provisions only for two days for his troops, leaving from three to four hundred men with Ross of Balnagown, to guard that town, he marched next morning with about a 100 English horse, 140 dragoons, and 200 Mackays and Rosses, "having sent orders," says

he, "to the Lord Strathnaver to repair speedily to Inverness, with all the ready men he had; and also to the gentlemen of the Lord Reay's family, to bring thither 200 men more of their best armed, which was punctually and speedily obeyed."

Having received this notice from Ramsay, the general pursued his march to meet with him, notwithstanding that he was uncertain as to Dundee's movements, and the number of his troops, for his only sources of information with regard to either, were the Highlanders he fell in with on his way, in none of whom could he place any confidence, as they all leaned to the other side.

Not only did Dundee receive the general's letter from Stewart, but he also got notice of Ramsay's intention to proceed to Badenoch, and the day he was to arrive there: in consequence of which, having obtained an additional force to enable him to intercept him, "Dundee marched out of Lochaber upon Saturday night, and entered into the braes of Badenoch, twelve miles above Ruthven, upon Sunday morning, with about 2000 men, which increased shortly to 1000 more; by which, calculating the time, we see that if Ramsay had known the country himself, or had had guides with him in whom he could have reposed trust, he might have been at Inverness before Dundee entered Badenoch: for upon Saturday night he might have been at Ruthven; and if the enemy had approached him in Badenoch, he had a sure retreat to the laird of Grant's country, whom the general had a little before ordered to have his men together to the number of seven or eight hundred for the same purpose."

Having advanced half way betwixt Inverness and Badenoch, the general was met by an express from the captain of Ruthven castle, informing him that Ramsay had returned, and that Dundee was advanced within ten or twelve miles of that fort. The general now found himself in a perilous situation. He had too good grounds to consider Athole and his people as unfriendly to government, and ready to support Dundee; he was of the same mind with regard to Lovat, who was Athole's son-in-law, and much led by his counsel; Seaforth and his friends he reckon-

ed "as slaves to their own interest, ready to join and obey the strongest;" the men of Badenoch would pursue the same course with Athole; and Inverness, which was garrisoned only by a few Highlanders, was in danger of falling to the enemy; besides which, should the general fall back, Dundee would so increase his troops on the Duke of Gordon's lands, and in all the counties from Murray to Perth, inclusive, as they should be too formidable for all the forces then in Scotland; and should cut off all communication betwixt the general and the south, from whence alone he could expect adequate relief.

The general having dispatched messengers to Inverness, exhorting the town to make a vigorous defence, with an assurance that if the enemy should bend his course that way he should have him in his rear, he turned to the left and marched towards Strathspey, the remaining part of that day and the whole night, to get between Dundee and Gordon's country, and to defend the laird of Grant, whose lands lay next to where Dundee was at the time, "It being," says he, "a necessary maxim in war, for such as would gain and keep friends, never to abandon them without necessity;" besides that by adopting this course, the general had in view to get between Dundee and the south, either to provide for his receiving supplies, or to secure a retreat if necessary; as also to afford him occasions to fall upon the enemy when in disorder or straggling, "to which," he observes, "that sort of people are very subject."

Although much inferior to the enemy in number, the general, who then entertained no suspicion of the fidelity of any of his party, finding himself on plain ground, where he could retreat with safety if worsted, and desirous in the beginning of the contest to try his fortune, he marched with all possible speed and secrecy till he came within a mile and a half of Dundee's camp, who lay as within a double trench, defended both by a wood and a marsh, where it was impossible for the general to attack him, his foot being extremely overcome by fatigue and want of sleep. He advanced near to a pass within a mile of the enemy, and halted there from four till ten forenoon, and after putting

his troops under arms, he proceeded to the pass to observe the enemy's disposition: but he was afterwards informed by some of themselves, that notwithstanding of all their advantages, on the first notice of his approach, they retired in all haste to the hills about four miles, and that their speed resembled a chase more than a retreat.

The general then went down the country about four miles, and acquainted the committee of his circumstances, laying the blame on Athole chiefly, and in the next place on Tarbet, the latter having both at London and Edinburgh assured him of great assistance from the M'Kenzies and others in Ross, amongst whom, he had said, his influence was such, that though Seaforth, who was a papist, and then in Ireland, had been at home, "he would overturn in eight days, more than Seaforth could advance in six weeks." In consequence of this information Athole was seized and confined; Tarbet, to avoid a similar fate, fled secretly to London; but Duke Hamilton having sent the general's letter after him, he was there arrested and imprisoned; he soon however, recovered his liberty through the interest of his cousin-german, Lord Melville, the Scots secretary.* From that time both Tarbet and Melville used all their endeavours to counteract or perplex the general's views and measures, "though with him," his own words are, "should be lost at the same time the king's service, which had very near been the effect of their malice, whether designed or not, betwixt them and God be it, who to his name be the glory, gave success to their Majesties' arms entrusted to the general, suitable to the justice of the cause, and the disinterested zeal, and unwearied endeavour wherewith he laboured to advance it; yea, far beyond what he could reasonably have proposed to himself, considering the difficulties he had to wrestle with, not only from the enemy, but much more from the government, and such

* "Tarbet," says the general, "had two views, besides his hatred to him; the one, that if King James' party should happen to prevail, he could by undeniable testimonies prove that he was the author of the counsel which hindered all the endeavours for the reduction of the Highlands; and if the Highlanders should be satisfied with the offers made them, King William should be pleased."

as the king entrusted, and, if it may be said, only benefited with the directions and advantages thereof."

Now, finding himself reluctantly obliged to act on the defensive, the general dispatched orders to Barclay's dragoons and Lesly's foot, which had come from England, in consequence of his letter to Sir John Lanier, to advance northward by the way of Cairnmount, and to lodge as he directed them till they should receive his farther orders, being then uncertain as to where they should join him: which, with other matters, remained to be regulated according as the enemy's measures rendered them necessary. He had some time before requested government to order two or three of the newly raised regiments, with some troops of horse and dragoons, under command of the Earl of Argyle, to proceed to that shire, where they would be joined by a number of his vassals, and that this body, by making a diversion on some of the enemy's lands, would weaken Dundee and disconcert his measures, by withdrawing many of the chiefs and their followers from him to defend their own property. This, however, was not attended to.

Having been joined by Lieutenant-colonel Livingston with the two troops of dragoons he had left at Dundee, the general encamped at an advantageous post, covered behind by the Spey, before by woods and marshes, and a small river of a rough stony channel on the right, within which there was a plain for his horse to range through, providing the Highlanders should attack him, "who apprehend," says he, "nothing so much as horse in the midst of a plain." Besides these advantages, he had a safe retreat down the river, in case that should be requisite.

A day or two after Livingston's arrival, there came to the general's camp two deserters from the enemy, one of whom, a serjeant, had formerly left the king's service in England, and led away three others with him. Both having been brought before the general, on his asking them as to the causes of their desertion, the serjeant requested a private interview, as he had a matter of importance to communicate; which being granted, and all present ordered to retire, excepting Sir Thomas Livingston, he told the general, "that he was betrayed by his own men; and

being asked who they were, he named Lieutenant-colonel Livingston, Captains Murray, Livingston and Crichton, and several others, indeed almost all the dragoon officers, with the exception of the Colonel, Major Mackay, and Captain Balfour. And being further enquired, what proof he had of these assertions? he answered, as did also his comrade, that besides Dundee having often told the highland chiefs and clans that he was sure of the dragoons, though it was not yet time to call them, being more useful to him where they were, he, the serjeant, heard him read letters from his lady to the same purpose, naming particularly the foresaid officers, together with Lieutenant Murray of the same regiment, a young debauched fellow, and one of the most active in the plot." Upon this the general told them they should be confined in Castle Grant, but well treated until he should be satisfied as to their report, and that they should be rewarded or punished accordingly as its truth or falsehood should appear. They seemed well satisfied with this decision, and referred to the lairds of Blair and Pollock, whom Dundee had seized at Perth, who had requested them to apprise the general not to hazard an action against such superior numbers, while at the same time so many of his small party were traitors. Sir Thomas Livingston also mentioned that he had some suspicion of those officers, as he frequently had observed them in close conversation, which they broke off abruptly when he happened to come near them.

In order, however, to wait his expected reinforcements, and to prevent Dundee's entry to those places where he could procure horse, which he was most in want of, the general resolved to retain his post as long as possible: for if he should presently retire, he must repass the Grampian-hills before his succours could join him, and in that case leave all the north exposed to Dundee, where he might raise such an army as would enable him to carry all before him.

At this time Dundee sent a detachment to block up the castle of Ruthven in Badenoch, which was commanded by "John Forbes, brother to Cullodden, a resolute brisk young man, and very well affected to the interest, whom Dundee knowing to want provisions, by a letter of

his which he intercepted, knowing him to be in want of provisions surprised him in that condition: for such as had the charge to furnish him, neglected it too long; and he being a young soldier, did not think of the next best remedy, viz. to take from the inhabitants when the security of his post actually required it. This gentleman, having no subsistence, was forced to render the house, which Dundee burnt, but capitulated for his own and his garrison's liberty."

This Captain Forbes, when about a mile from Dundee's camp on his way to that of the general, met two men on horseback, one in red and the other in blue, and told them not to proceed, otherwise they should fall into the enemy's hands: but they rode on notwithstanding. The general being informed of this, ordered an inquiry; but it could not be discovered that orders had been issued for any of the cavalry leaving the camp. Soon after, some of the general's scouts came in and told him that the enemy was in motion towards him; upon which he ordered the officers to place their men under arms, and to draw them up on the plain; and calling the laird of Grant to him, said, he was sorry to be obliged to retire, and leave his lands exposed to the ravages of the enemy, but hoped it would only be for a few days; and he advised that in the meantime his tenants should drive their cattle to the low grounds beyond the enemy's reach, by which means, as to all appearance Dundee would follow on the general's rear, Grant's people might save both themselves and their property. To this the latter replied, that though he should lose his all, "he would not wish him to take one step to the prejudice of their Majesties' interest."

Finding that Dundee was within three miles of him, and not willing to hazard an engagement in his present circumstances, the general now resolved to retire. It was his usual custom to place the dragoons in front and rear of his troops; and on this occasion, not judging it as yet prudent to discover his jealousy of those dragoons of whose treachery he had been informed, he placed them in the same order, only that he stationed Major Mackay's and Balfour's companies behind them in the rear, and the colonel's, with the other four companies in front, that his presence might

overawe the ill-affected; and next to those of them in front, he placed the two troops of dragoons, and two hundred foot of the three Dutch regiments; and next to them the English horse, scarcely seventy strong; and betwixt them and Sir Thomas, who led the march, "two hundred brisk Highlanders of the Lord Reay's and Balnagown's men, and dismissed what men of Grant's were together, to the end they might do their best to defend their houses against stragglers of the enemy, and remove their cattle out of the way."

That the enemy might not discover the direction he took, the general delayed his march till night; he had three ways, by either of which he could retire to avoid an engagement, one towards Inverness, another through Strathdon, (and which was nearer by twelve miles to join his succours than the third, which was Glenlivet,) "by which," says the general, "if Dundee had understood the country and his trade, to have informed himself exactly thereof, he might have gained betwixt our party and the regiments which we expected from the south, and put the general to a hard pull, who, though he perceived the feasibility of of such an accident, durst not resolve to march through an enemy's country, all papists, with an enemy four or five times his number in his rear; besides, that the foresaid way was very disadvantageous for horse in case of an enemy's approach: so committing to the providence of God, against whom there is no wisdom, nor understanding, nor counsel can succeed, he took his way down the river, with hungry men and horse, though resolute, particularly Colchester's horse, and the two hundred fusiliers, upon whom he relied most; and marching by the house of Grant of Balindallach, who was himself with Dundee, made no halt till he came to Balveny, where he was forced to settle himself till he should get some bread for his men, and oats for his horse, where, having met with Sir George Gordon of Edinglassie, with the country foot, he furnished him with men to send out for intelligence, of whom he dispatched some by the way he came, and others by the way he apprehended that Dundee would labour to cut him off from his succours. They came in next morning with news that Dundee had not left Strathspey

as yet: whereat the general being very well satisfied, sent nevertheless presently again others out the same way; and ordered a party of twelve dragoons to be sent out by the way he had marched off, being in the greatest impatience to have in some provisions and oats, which came at last about five of the clock at night: but the general seeing none of those he had sent in the morning return, notwithstanding both officers and soldiers grumbled, he would not stay till they had given their horse corn, and the soldiers had got some bread baked."

"He marched the party off in the same order he had done the day before, and having passed a little river, about a mile above the place he camped in, by the time he had marched a half mile on the other side, Sir Thomas Livingston, who happened to be a little behind, discovered the enemy on the side we lodged on before, and marching straight to the same ground we came from, and to the ford where we passed. The general having ordered Lieutenant-colonel Livingston, who then happened to be the first officer at the head, to continue a good pace, galloped back to the place from whence the enemy had been discovered, and having dispatched Sir Thomas Livingston to lead the party, with orders to continue a constant pace, such as should neither weary the soldiers nor lose time, he placed himself, with about fifty or sixty dragoons, upon a height in view of the enemy, with his nephew, Major Mackay, and the master of Forbes who had joined him there with about fifty horse: which the enemy perceiving, came to a halt to gather up their stragglers, and form themselves in battalions, or rather clans. Meantime the general dispatched his nephew to a hill which lay to his left about a quarter of a mile, from whence, being towards the enemy's flank as they should pass the river, he should get a nearer and more just view of their form: but the general seeing the enemy's design to act betwixt him and Major Mackay, he called him presently back again. The enemy having got up their men, passed the river, first with their horse, which we judged at distance about a hundred and fifty, who embattled themselves to cover and favour the passage of their foot, which also they embattled as they past, and so their baggage.

"The general then perceived them to begin to set forward about sunset; and judging now his party about two miles in head, he turned his horse, saying to the officers who were with him, its long enough staying here, 'tis better to step than gallop off: but Major Mackay being intent upon the motion of the enemy, and not hearing the general's order to march off, staid there behind a little, wherein he was near being intercepted; and marching after a good rate, he espied a party of twelve horse, which appeared more because of the twilight, to the general's left along the face of a hill, which, supposing them to be of Dundee's horse, made him cry halt, to advertise the general, who turning about, and seeing his nephew galloping after him, judged he had some of the enemy in his crop, which obliged him to send orders to the party to make Colchester's detachment halt in the first plain spot of ground, ordering the rest to continue their march, being very ill pleased with his nephew for staying behind him, whereby he exposed himself to be taken by the enemy: but the horse which alarmed the major was the serjeant with the twelve dragoons of Livingston's regiment, which were sent out in the morning for intelligence, and who happening to be the lieutenant-colonel's serjeant, and concerned in the plot, designed to bring the enemy upon us in our quarters, as it was afterwards discovered, the same being the man in blue, whom Captain Forbes had met within a mile of Dundee's camp, the day the general marched off, which as yet was not known: for the fellow pretended to have run great hazard of the enemy, and to have marched far about to be free of them."

In consequence of this false alarm, notice was sent to Sir Thomas that the general was engaged with the enemy, upon which he drew up the men, and halted to wait for orders: but the general, who was then aware that it was a mistake, being dissatisfied at the halt, ordered the troops to proceed, which they did till they had got beyond the water of Bogie, where the general halted at four in the morning, till his troops, who were almost worn out by hunger and fatigue, were refreshed. In a little time, to his great satisfaction, he received certain notice that Barclay

and Leslie would be with him in course of that day: but for the greater security, after two hours' rest, he marched three miles farther towards his friends, and had got over a difficult pass which now lay betwixt him and the enemy. He posted himself at the foot of a hill, on the road by which he expected the two regiments would advance, and from whence he could see the enemy's motions to the distance of two miles. All this time, however, contrary to his apprehensions, the enemy knew nothing of the reinforcement he expected; which seems to detract not a little from Dundee's good generalship, even independent of his allowing such a small party to escape him without a shot or a stroke, knowing at the same time that the most effective part of that small body were his friends. But these matters will better appear from the general's excellent reflections, which will be given in his own words.

" But God, who overrules all the actions of his creatures, preserved singularly that small handful of men beyond all expectation, considering the strength of the enemy against six hundred, and that two hundred of these in which consisted our greatest advantage, were they trusty to the service, were traitors: for, in the first place, had Dundee accepted of it, the general had in all appearance engaged in action with him the first day he came near, having then opinion of the dragoons that they would fight, which was before the deserters had discovered their plot, in which case he had certainly without a miracle been beat, which would be naturally of sad consequence to the government; for all benorth Tay, which is far the more formidable half of Scotland as to the war, except a few families who would be forced to follow the same measures, or be ruined, besides all the borders on both sides would declare for King James. If Dundee had got intelligence of the march of Barclay and Lesly, and had immediately upon the assurance he had of our dragoons, marched the shortest way along the foot of the hills towards Cromar and Bogie, he could not fail of beating Lesly or Barclay, who lay four miles from each other on Monday night, or both perhaps: Though he had no knowledge of their march, considering his advantages, it was absolutely his game and true maxim to get between the general and the

south, it being easy to conjecture, that if there were any forces in the kingdom, he would order some to his succour, and his very motion southward might teach so much to a cunning enemy; besides, that the cutting the general's communication with the government, and the principal force of the kingdom, could not fail of being of notable consequence and advantage to Dundee, and disadvantage to government: whereby we may see the hand of Providence very visibly in this escape of so inconsiderable a party, whose defeat at that time would naturally draw difficulties upon the government not easily to be redressed, for the reasons above mentioned; as well as the divisions which already began to discover themselves in that very party which carried the convention in favour of their Majesties' government. We should learn to be modest, when it pleaseth God to bless the service in our hands; which the most experienced and clear-sighted in their profession will have reason to do, if they examine impartially themselves, either as to their judgment, diligence, or resolution, wherein they shall find enough to humble them in themselves, and to move them to give the glory to God: besides, that if we project and design any thing which the issue doth justify as advantageous to the interest we serve, we ought to attribute the design, as well as the favourable success thereof to God, in whom all his creatures do live, move, and have their being; and whose gift it is when men have the spirit of their calling, as we see by the example of Saul, David, and others to whom God gave spirit conform to the dignity he had called them to: a double blessing when it is accompanied by the fear of the Lord, and a continual dependence upon his fatherly goodness to instruct and strengthen us in our profession, so as, denying all self and private regards, to carry on the service wherewith we are entrusted, with Christian sincerity, and unwearied zeal and diligence, according to the apostle, serving our masters, not with eye-service, but as the servants of Christ, doing the will of God from the heart."

After a long march Barclay arrived that day at noon, and Lesly at six in the evening, both of them having used all diligence to press forward in consequence of the general's letters. As soon as night should

conceal his movements, the general resolved to advance upon the enemy: but though he had arranged his troops, and was in readiness to proceed, he was forestalled by the treacherous officers, who, in the night-time, dispatched two dragoons to Dundee, to warn him of his danger, and to inform him of the reinforcement the general had received. Dundee immediately retired to Edinglassie, the house of which he pillaged and destroyed, and then retreated with all speed: but the two dragoons, his informers, not being able through fatigue to accompany him, concealed themselves with some others in a wood, where they were seized by Sir George Gordon, the master of Forbes, and Major Mackay, who, upon the enemy's retreat, had gone in quest of stragglers searching for spoil. "The Highlanders," says the general, "cannot be kept from straggling for plunder over the face of the country, as well in their marches as camping, particularly when they are not paid, nor any general method taken for their subsistence."

CHAPTER XVI.

Amongst those who were seized in the wood there were a servant and a boy who had belonged to a Captain Bruce, formerly of Livingston's dragoons, who, on being examined, declared that the serjeant above mentioned, who had been sent with the twelve dragoons for intelligence of the enemy, had spoken privately with Dundee in his camp, and that immediately thereafter the latter had issued orders to advance; the two dragoons also made such discoveries, that the general whose troops were now augmented, judged it expedient to seize and confine the persons of Lieutenant-colonel Livingston and the other suspected officers: upon which he marched after the enemy that night to Balveny, and next day to Culnakill, from whence himself had retired five days before.

Finding that a party of the enemy was on the other side of the river Spey, and that the laird of Grant was in danger, the general ordered Sir Thomas Livingston, Lieutenant-colonel Hauley, and Major Mackay with a greater number of troops than he reserved to himself, to pursue the enemy and relieve Grant, the enemy being superior in number, though the general considered that detachment the most formidable, from their advantage in cavalry. Livingston advanced about two miles from the river, and having discovered about five hundred men of the enemy, he prepared to attack them; but his adjutant having imprudently rode a quarter of a mile in advance of him, the enemy took the alarm, and retreated speedily to a steep hill before he could come up with their main body, by which they got off with the loss of from eighty to a hundred men; whereas had the adjutant, when he first saw them, fallen back with caution to give notice to Sir Thomas, none of them had escaped. On the general's side the loss was one captain and six dragoons killed, and some wounded. During this skirmish word came to the general that Dundee's whole force had fallen upon Livingston: though he did not believe it, or that had such been the case, Livingston, whose horse were double in number to those of Dundee, could not easily effect a retreat: yet for the greater security, the general forded the Spey with his party, and about the distance of a mile beyond it, met Sir Thomas on his return. Next day the general ordered the detachment of Colchester's dragoons to return south to join the rest of the regiment, and to bring with them, in sure custody, the officers who had been imprisoned.

As the enemy was for a time intimidated, the general sent Barclay's regiment for some weeks to Strathbogy, where there was grass; Ramsay, with the detachments of the three Dutch regiments, to Elgin; and with Livingston's dragoons, Lesly's foot, 300 of Leven's and Hasting's regiments, and the 200 Mackays and Rosses, he went himself to Inverness, to make the necessary arrangements, and to find whether the enemy should move on the offensive.

From Strathspey the general, upon the 13th June 1689, wrote to

Lord Melville, secretary, as follows: "Since there are some apprehensions of an invasion from Ireland I will dispose myself for the south, with part of the forces I have here. The rebels are entered Lochaber, where I judged not for the service to follow them, because there is no way to be furnished with provisions, and without them no regular body of forces can subsist together. I can assure your lordship, that, had I not been here to oppose the rebels these two times they descended since my coming, the most part benorth the Tay had been by this time in open rebellion against his Majesty and the present government. What shall now be the turn of affairs when I go south, I cannot as yet judge; but I hope God will complete the deliverance which he hath thus far wrought for his oppressed people, and make the reign of our present sovereign abound in prosperity and peace. I judge that it may be prejudicial to the present service that there is no fund of money in Scotland for the punctual payment of his Majesty's forces. The English foot, with all the officers, not receiving payment for a long time, occasions grumbling among them, which your lordship may take your own way to represent. The Marquis of Athole doth not play fair, for his country is much disaffectedly disposed; Tarbet hath not done in my opinion what he ought and could do, neither among his relations, (the Mackenzies,) nor others with whom he has great credit. I am still of opinion, that an act of indemnity would do much to quiet the spirit of those that fear after reckonings. A great part of Lord Lovat's men have been with the rebels at this time. In all the north, I know of no families we can depend upon, except my Lords Strathnaver, Reay, and Forbes, with the laird of Grant, and a gentleman of the name of Gordon, entitled Edinglassie, sheriff of Banff, who is very forward and zealous for the present government."*

Next day the general wrote from Inverness to Lord Melville. "Being in haste when I wrote my last from the head of Strathspey, I forgot to mention the laird of Balnagown, chief of the name of Ross, who is a man

* "The propriety of applying the term *rebels* to those who had not professed allegiance to King William, may be questioned; and the general scarcely uses it at all in his memoirs.

of good following, and hath testified all the zeal that could be expected of the most and best affected." After requesting that he might be continued sheriff of Ross,* he goes on to say, "Although Fowlis is my cousin, and a very good man, yet Ross is fittest for the appointment, and will be of most service to their majesties: I pray therefore, that your lordship may request the king that he be continued; for none other can take so ill, the not getting of it, as he being put out of possession of it." "All the forces I had north, after the junction of Ramsay and the two English regiments, would make little more than 2000 men, and the combined Highlanders would make 3000, besides as many more that would quickly join, if once they had some advantage." "The Highlanders are absolutely the best untrained men in Scotland, and are equal to our new levies, though they were better armed than they are." He concludes by saying, "A place of security may be made at Inverlochy for 600 men, but which cannot be undertaken without provision of things necessary, and six weeks sure time to end it. This, with a small body of the like number as at Inverness, would make the highlands as peaceable as Murray.

His disinterestedness, pacific disposition towards the Highlanders, and his foresight, appear conspicuously here. He recommended Ross of Balnagown in preference to his cousin, the laird of Fowlis, whom he allowed to be a good man: and which may account for the neutrality of the Munros at the revolution period. It would appear that Fowlis had been soliciting for the sheriffship of Ross, which was recently taken from the Earl of Seaforth. Fort-George was proposed to have been built at Inverness; but the town opposed it, to their own subsequent detriment and regret.

During the general's stay at Inverness several companies of Lord

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* 18*th May* 1689. The committee of estates considering that (Colin), Earl of Seaforth sheriff-principal of the shire of Ross, is not qualified according to law, being a professed papist;" "therefore, they give and grant to David Ross of Balnagown, the gift and office of being sheriff-principal of the said shire of Ross, with all and sundry privileges," &c.—*Records of Parliament.*

Strathnaver's and the laird of Grant's regiments were levied, but as they were deficient in clothing, arms, and discipline, he could not place great dependance on them for the security of the northern districts; and taking into view that all the kingdom to the north of Spey, excepting the men of Sutherland, the Mackays, and Rosses were disaffected, or could not be relied on, he therefore committed the chief command in the north to Sir Thomas Livingston, and left with him his own and Sir James Lesly's regiments, 300 of Leven's and Hasting's, and the 200 Mackays and Rosses, besides such as he might select of the new levies, and, as circumstances might render necessary, he was to call for additional supply from Sutherland, Lord Reay, Ross, and Grant.

Soon after his return to Inverness, the general wrote also to duke Hamilton, who was then the king's commissioner in parliament, that he saw no effectual method of restraining the Highlanders, whose country was full of mountains, bogs, woods, and difficult passes, with inaccessible retiring places where it was impossible to get at them, or for an army to subsist for two weeks in such barren and desert regions, but by placing a strong garrison at Inverlochy, and smaller ones at other places; and he requested the duke to take the first opportunity of laying this matter before the parliament or council, that the necessary materials might be provided early in the season, and be ready for having them forwarded against the general's return to the south. Had this proper measure been timeously adopted, the contest had soon been terminated, but some of the managers had their own ends to serve by prolonging it.

Finding that the enemy made no further attempt, and having given Sir Thomas some ideas as to the north, to enable him the better to regulate his conduct, the general, about the 20th of June, proceeded towards the south, with the detachments of the three Dutch and Barclay's regiments, the latter of which he left in Aberdeenshire, with orders to quarter where they could best subsist; and as he considered the castle of Braemar, which was far up in the highlands, and covered the shire of Aberdeen, a proper place for a garrison, to check the men of that district who had

already given proofs of disaffection, he dispatched fifty horse, fifty of Barclay's dragoons, and sixty foot to possess it; and at the same time gave written instructions to the captain of these dragoons to march speedily to that castle, leaving the foot to follow with the provisions, and after placing twenty dragoons there in passing, to march forward before day without halting, and, with all possible diligence and secrecy, three miles farther, to the house of Colonel Farquharson of Inveray, by which he might surprise him and several others of note, who had retired that way when Dundee's troops had separated. But in place of attending to those instructions, the captain waited at Braemar castle till he had refreshed his horses, "whereby," says the general, "day-light surprised him before he had got the length of his prey, which escaped him, nevertheless so narrowly, that he got sight of them running in their shirts to a wood near the house: by which we are taught that the least minute of time is not to be neglected in war, because the delay can never be so small but it may overturn the enterprise; and that all neglects therein ought to be punished according to the importance of the disappointed design, that men, who do not their duty for conscience, may be taught to do it for the fear of punishment. But though the neglect was of importance to the service, the general judged it not seasonable to take much notice of it; but dissembled his thoughts, because one of the captains was a stranger, and the other, the master of Forbes, a youth whom he hoped to make useful to the service, though as yet bashful before his enemy, having never seen any."

Having escaped this snare, Farquharson and his lodgers sent notice on all quarters to collect the inhabitants, to take the passes before the dragoons and horse, and to incommode them in their retreat. The latter at the same time returned to Braemar castle, and, apprehensive of no danger, sent their horses loose to grass, and laid themselves down about the house to sleep. Soon thereafter, however, Inveray, accompanied by a few men, from a rock above the castle, let fly some shot which awakened them, and startled their horses so that they had some difficulty to take them; and their panic was such that they forsook the castle, and

fled hastily down the country, while Farquharson embraced the opportunity of their flight to burn the castle, so as to free that district of a garrison. The foot party who were advancing with the provisions, sent notice to the general of these matters, who, though then on his march to the south, being aware that the enemy would raise a great rumour about that trifling advantage, "notwithstanding," says he, "of his great haste to Edinburgh, to put life in the design of Inverlochy, and that he had not a day's bread with him for his party, and could not expect any in that time of the year in that highland country, resolved to turn off his road to redress that little disorder, though all this while he was so weak, not being recovered of the sickness he had got at his landing in England, that he could not but with great inconveniency keep himself on horseback."

An account of these occurrences was immediately sent by the general to Duke Hamilton, with an earnest request that the necessary preparations should be made, for the erection of the fort at Inverlochy, the particulars of which he had described; and having ordered a week's subsistence for his party, which did not exceed 500 men, directing them to follow him, and Barclay's dragoons to take their station at Dee-side; and arranging some other matters, he himself, with the foot, proceeded straight over the hills to Braemar castle, and finding it burnt, and the vaults incapable to accommodate any adequate party, he, in return, burnt the house of Inveray, with the other houses on Farquharson's lands. He then descended to Abergeldy, where he placed seventy-two men of his detachment, under command of a captain and two subalterns; "which small number," says he, "kept 1000 from doing any prejudice to the government;" and having sent the dragoons, with the master of Forbes's troop, to their former quarters, he crossed the hills with the residue of his foot party, and arrived in Edinburgh in the beginning of July; "and found not," says he, "the least dispositions made for the design he proposed, viz. the placing of a garrison at Inverlochy, as the only means appearing to his judgment capable to suppress the enemy."

Having been about thirty years absent from Scotland, the general was

necessarily ignorant of many local circumstances connected with the present contest. A primary desire in him was, that the Highlanders should be treated with lenity, and brought to terms without bloodshed; and he saw that the most speedy and effectual method to accomplish these ends was, to erect the fort he had so often and pressingly proposed; but finding that nothing had been done, he laid the matter before the privy council, and urged the necessity of having the work finished before the rainy season or winter should set in. He had indeed, immediately on his arrival in Scotland, proposed this measure to government, and the means of carrying it into execution; and though he pressed it so much on his return from the north, under a belief that the work might still be accomplished during that season, he afterwards came to see, from a better understanding of local circumstances, and of the strength, resolution, and means of retreat when worsted, which the enemy was possessed of, that the matter was impracticable, when no arrangement had been hitherto made regarding it; and that though his desire should have then been granted, and himself gone to see the work forwarded, he must have returned without performing any thing to purpose. This disappointment led him into that train of measures, which issued in the battle of Killicranky, where even the repulse he sustained, as he afterwards confessed, saved him that reputation which might have been injured in some degree, had he failed in the execution of a work he had so zealously insisted for and undertaken. At the same time he blames those in power, "each being for his own particular, and fixt upon his private projects, so as neither to see, nor be concerned for any thing else."

Sensible of the importance of securing Athole, Badenoch, and other parts of the highlands next adjacent to the south, before Dundee could be in a posture to plant himself there, the general requested government to furnish him with provisions for 400 men for two weeks, to enable him to carry this necessary measure into effect; but he was for twenty days detained at Edinburgh, before means were taken to convey that provision: which loss of time put it out of his power to prevent the evil which he had anticipated: and he remarks, that "the government was

so ill composed at that time, that the enemy was advertised of all our measures, by such as voted them in council; and these delays gave them convenience enough."

Notice having been sent to Ireland to King James, that the Highlanders had almost lost all patience, because his repeated promises of sending them supplies had not been realized, he forwarded Brigadier Cannon with five hundred Irish, and an assurance that these should soon be followed by a greater number. They landed in the Isle of Mull, and soon after joined Dundee. James was then in possession of all Ireland, except Londonderry and Inchkillen, and having most of his forces in the north parts of that kingdom, it was easy to transport them to the west of Scotland, which is so much intersected by arms of the sea, small bays and creeks.

The general had resolved to march to Lochaber with 3000 foot, four troops of horse, and as many dragoons, new levies; intending to join such forces as Argyle could command, and to take Stirling in his way, in order to arrange matters there: but previous to his departure from Edinburgh, Lord Murray informed him that Stewart of Ballechan, and several gentlemen of Angus-shire, were fortifying the castle of Blair, to secure that district for the interest of James, notwithstanding of his (Lord Murray's) orders to the contrary, his father, the Marquis of Athole being then in England. As Lord Murray was son-in-law of Duke Hamilton, the general proposed that they should talk of these matters in the duke's presence: where he declared that he had no hopes of persuading the men of Athole to join the king's forces against Dundee, but engaged to do his best to render himself master of the castle of Blair before Dundee could be there: for which purpose, and to hinder them from joining Dundee, he engaged himself to go to Athole and gather all his father's vassals together, believing that Ballechan and the tenants he had with him durst not deny him entry to his own house." The general replied, that he desired no more of his lordship than to prevent his people from opposing him, promising to make all possible haste to disappoint Dundee of that fortress, as he intended to take Athole in

his way to Lochaber. But matters turned out quite otherwise. By delay on the part of government to furnish necessaries and means of conveyance, the general was detained ten days in Edinburgh after Murray's departure for Athole, who, in the interim, had wrote the general, to say, that he had called the people together, and that Ballechan had not only refused to surrender the castle, but had sent notice to Dundee to make haste to his assistance, as he and his friends were blocked up by Lord Murray.

Hitherto the general harboured no suspicion of Murray's fidelity, whose lady and her mother were zealous presbyterians, "though he began already," he says, "to have ill thoughts of the expedition in gross," while, at the same time, he considered it of great moment to have Athole secured, but which could not be effected without commanding Blair Castle. He was aware that if Dundee had once possessed it, he would not only be joined by the Athole-men, amounting to 1500, "as reputed men for arms as any in the kingdom," but also by such of the Highlanders as had not yet come to him, together with the men of Badenoch, Monteith, and Mar, and would be in condition to augment his horse, particularly from the shires of Perth and Angus, besides that the disaffected parts of the kingdom would not fail to take advantage of any apparent faintness in the king's troops; "withal, the general judged better of his own men, though all of them almost new levies, than of the enemy, by reason that, notwithstanding of the enemy's advantage in opening the campaign, they shewed nothing that looked like briskness. These were the reasons, then, which moved him to resolve his march into Athole, although four troops of dragoons and two of horse had not joined as yet."

Having visited Stirling and its neighbourhood, the general proceeded from thence to Perth, from which he marched about the 24th of July, and lodged over against Dunkeld.* About midnight he received a let-

* From Stirling the general wrote Lord Melville on the 24th July: "I am this far to the Highlands. It is not an easy commission that the king has given me, to keep a king-

ter from Murray, signifying that Dundee having entered Athole, he (Murray) was forced to retreat from Blair Castle, "which till then," writes the general, "he had made the fashion to keep blocked, and his passing a strait and difficult pass two miles below the said house, leaving it betwixt him and the enemy; the farther side thereof he affirmed to have left guarded for our free passage to Blair, where he supposed Dundee to be already: although Lieutenant-colonel Lauder, whom the general ordered, presently upon Murray's advertisement, for the better securing of the pass, denied to have met with any of his men there."

Next morning, by break-of-day, the general began his march, having sent orders to Perth to forward the six troops of dragoons and horse to the entry of the pass of Killicranky, where himself arrived about ten; and after sending two hundred men to fortify Lauder, and to give him notice regarding the enemy, he allowed his troops two hours for rest and

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dom peaceable, where there is so much division betwixt those in government, that it hinders the necessary expedition of things which, in my opinion, presses most: that is, to reduce the rebels." "The Earl of Annandale and the Lord Ross offered to quit their commissions, rather than quit the parliament and go to the field, protesting all fidelity and affection to their Majesties and their government, and readiness to follow my orders to that end, if the necessity of attending the House did not oblige them to the contrary. My Lord, they are extremely jealous of the lord president of the session." "I never imagine to myself any considerable advantages in the world, and I am serving mainly out of affection to their Majesties' government, which go hand in hand with the protestant religion." "I am afraid to be straitened for provisions in this expedition: therefore, if I cannot effectuate what I project with God's assistance, it shall not be my fault; for I am resolved, God willing, not to spare my pains, nor my life, for the advancement of so good a cause." "I wish your lordships would obtain an order for the man-of-war that comes down with some money and ammunition, to stay upon our coasts, for we cannot have a farthing of money sent north for the forces, because our coasts are infested with French capens," (privateers) "If there could be another spared, it would do much for the reduction of the Highlanders, and accommodation of the forces, particularly if we undertake to place a garrison before winter in Lochaber; which, in my opinion, is the readiest way to see an end to these intestine troubles, which otherwise, by slow measures, may take a long time, and at last cost more money than would do the turn now."

It appears, that at this time, the general, calculating on Lord Murray's fidelity, had no opinion that Dundee would have given him battle; nor would he, had Murray been trusty.

refreshment, before entering the pass, which was two miles in length. The general met Lord Murray a little below the pass, and asked what number of men he had with him? "He replied, that he had only from two to three hundred, as the greater part had gone with their cattle to the hills, beyond the enemy's reach; which seemed reasonable as well as customary to that sort of people, when any forces, whether friends or enemy passed through their country, which made the general not so apt to judge so ill of Murray as others did."

Having received notice from Lauder that the pass was clear, the general marched in the following order: Balfour's, Ramsay's, and Kenmure's battalions in front; followed by Belhaven's troop of horse, then Leven's regiment and a battalion of the general's; after them, the baggage horses, and in the rear Annandale's troop of horse, with Hasting's regiment, which were left to guard the baggage, both from any detachment of the enemy, who might encompass the hill to seize it, and from the country people coming with intent to plunder. As no full or accurate detail of the battle of Killicranky has hitherto been published, it is thought best to describe it in the general's own words.

"Having past with the five battalions and the troop of horse, we halted upon a field of corn, along the side of the river, both to expede the passage of the baggage, with Hasting's regiment and the troop of horse, and to reserve a communication for the forces. The general ordered Lauder to advance with his 200 fusiliers and troop of horse, some hundred paces upon a hill, towards the way from whence he expected the enemy might appear, who presently advertised, that some parties of them began to discover themselves betwixt us and Blair. Whereupon the general galloping to the ground from whence they were discovered, ordered Colonel Balfour to dispatch quickly the distribution of the ammunition, and to put the men under arms, while, having observed the motion of the enemy, he (the general) should choose the field of battle. Being come up to the advanced party, he saw some advanced parties of the enemy about a short mile distant, marching slowly towards us, along the foot of a hill which lay towards Blair, whereupon he sent orders to Balfour to march

up to him in all haste with the foot; but, presently upon that order, having discovered some bodies of them marching down an high hill, within a quarter of a mile of the place where he stood, and where the gross of their body appeared, fearing they should take possession of an eminence just above the ground where our forces halted on, of a steep and difficult ascent, full of trees and shrubs, and within a carabine shot of us, whereby they could undoubtedly force us with their fire in confusion over the river, he galloped back to the forces, and having made every battalion form by a *quart del conversion* to the right, upon the ground where they stood, he caused them march before his face up the hill, by which means he prevented that inconveniency, and got a ground fair enough to receive the enemy, but not to attack them, there being within musket shot of it another eminence before our front, as we formerly stood, whereof Dundee had got possession before we could well be up, and had his back to a very high hill; which is the ordinary maxim of the Highlanders, who never fight against regular forces on any thing of equal terms, without a sure retreat in case of a repulse, particularly if their enemies be provided of horse; they attack barefooted, without any clothing but their shirts, and a little highland doublet, whereby they are certain to outrun any foot, and will not readily engage where horse can follow the chase to any distance: they come on slowly till within reach of firing, which, because they keep no rank or file, doth ordinarily little harm; when their fire is over, they throw away their muskets, and every one drawing a long broad-sword, with his target on his left arm, they run towards the enemy, who, if he stand firm, they never fail of running with more speed back again to the hills, except they happen to be surprised by horse on a plain.

"All our officers and soldiers were strangers to the Highlanders' way of fighting and embattling, which mainly occasioned the consternation they were thrown in; which to remedy for the ensuing year, the general invented the method, so to fasten the bayonet to the muzzle without, by two rings, that the soldiers may safely keep their fire till they

pour it into their breasts, and then have no other motion to make but to push as with a pike."*

"The general having got up the hill with five battalions and a troop of horse, and seeing Dundee master of an eminence so near him, resolved to make the best of that ground, and rather receive the shock there in good order, than to put his men out of breath, and in disorder by attacking the enemy against a hill. Betwixt the height which we marched up from the river, and the foot of that whereon the enemy was placed, there was a convenience to embattle our men in one line, taking the former at our back, though with a continued ascent from us to them.

"The general having got upon the ground which he had marked out, he began to cover his line, leaving a little distance between every battalion, having made two of each, because he was to fight three deep; only in the midst of the line he left a greater opening, where he placed the two troops of horse, the other being come up just as he had taken his ground, with Hasting's battalion, of a design, when the Highlanders approached, and that the fire of the line should be spent, to make them fall out by that larger interval to flank the enemy on either side as occasion should offer, not daring to expose them to the enemy's horse, which were composed all of gentlemen, officers of former service, and such of Dundee's regiment as had deserted out of England, which was the reason why he placed them behind the foot till all the fire was over on both sides; he also sent a detachment of firelocks of each battalion to the right, to fortify Hasting's regiment, to whom he was obliged to leave that post, being come up after he had taken his ground, not willing to make unnecessary motions so near the enemy, who was so very close upon him.

"The enemy having distinguished the general, sent their passing shot

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* The Highlanders, however, learned afterwards to counterwork that motion, by throwing up the bayonets with their targets, and thereby exposing their opponents to the havock of their claymores. It would appear from the general's statement, that the method now in use, of fixing the bayonet, was not then known.

all over the place where he moved, whereby severals were wounded before the engagement; and finding that Balfour had advanced his regiment too far out of the line, observing that the enemy made no motion to attack as yet, after he had advertised them, (Balfour's regiment,) not to be surprised at the motion he was to make, because it was to bring them in a line with the rest, lest they should be flanked, he made them retire, and committing the care of the left wing (betwixt which and the right there was boggy ground which could not on a sudden be galloped with safety,) to Brigadier Balfour, returned along the face of the line to the right: where finding all ready to receive the enemy, he made a short speech to some of the battalions which were nearest him, to this purpose:—

"He represented to them the justice of the cause, which regarded the protestant religion, not only in Britain but in all the world, which mainly seemed to depend upon the success of his Majesty's enterprise for the defence thereof, as well as the temporal happiness of their country, consisting in the maintenance of their laws, which confirmed it to them, besides the obligation of honour and conscience which lay upon them not to betray their master's service by a timorous faint-heartedness; and, last of all, their own safety, assuring them that if they kept firm and close, they should quickly see the enemy take the hills for their refuge; for which reason, more than the hopes of pursuing the chase, they had stripped themselves almost naked: But on the other hand, if they happened to give way, they might freely conclude few or none of them should escape those pursuers, who were far speedier of foot than they: besides that all the men of Athole were in arms, and ready to strip and knock on the head all runaways: To avoid, then, these certain ruins, the only visible mean was to stand to it like men fighting for their religion and liberty against the invaders of both, which was the true ground of his Majesty's enterprise, and not the desire of a crown; as it was of all good men and true protestants, in conjunction with, and assistance to him therein, and not the prospect of private advantage by the change.

"The enemy being upon their ground much about the same time with us, seemed to extend their order beyond our right wing, which the general observing, made his line move to the right by the flank, lest their design might be to flank and get between him and the pass, which would be an advantageous post for them, whereby they could cut off all communication betwixt us and Perth, from whence we expected the six troops of horse and dragoons to our assistance, as well as a farther supply of provisions: while they could subsist by the favour of the Atholemen, and have convenience to join as many horse and foot as Dundee's credit in the counties of Angus and Perth could procure, unless we could hinder them, by making a motion, which readily might furnish them occasion to attack us with a seen advantage: which motion brought the enemy to a stand, whatever his design might have been: so we looked upon one another for at least two hours.*

"The general was unwilling to attack, for the reasons already mentioned, and the enemy seemed equally unwilling, from irresolution; which the general apprehended to be of design to wait the night, wherein they might hope to frighten our men by a sudden motion down the hill, with a loud shout after their manner, very likely to put new men, unaccustomed to meet an enemy, in a panic and disorder: the general durst not venture to pass the river in their presence, and so near them, both by reason of the hazard, the soldiers ordinarily taking such a motion for a subject of apprehension; and the imputation which he had to expect if he were beat in retiring. He resolved then to stand it out, though with great impatience to see the enemy come to a resolution either of attacking or retiring, whereof they had more choice than he; and to provoke them, he ordered the firing of three little leather field-pieces, which had been carried on horseback, but were of little use, because the

* There seems but little in all this to show that Dundee possessed such "brilliant" military talents as some ascribe to him. He had the advantages of a long residence in Scotland; often hunting the presbyterians among the hills; of knowing better the Highlanders' manner of warfare; and the ground on which these now had to meet their opponents.

carriages, being made too slender for the conveniency of carrying, broke at the third firing.

"The enemy having a full view of our forces by reason of the height they possessed above us, discerned presently the general, which drew their shot to all places where he stood or walked, whereby severals were wounded; and to have a much nearer aim, a party of them possessed some houses upon the ascent of the hill, which the general not willing to suffer, ordered his brother (James) commanding his own regiment, before whose front the houses were, to dispatch a captain and some fire-locks to dislodge them, judging withal that that skirmish might draw on a general engagement, which he earnestly longed for before the night approached. The captain chased the enemy's detachment to their body, with the loss of some of their number: but shortly thereafter, and about half an hour before sun-set, they began to move down the hill.

"The general ordered the officers commanding battalions to begin their firing at the distance of 100 paces by platoons, to discourage the approaching Highlanders meeting with continual fire. That part of their forces which stood opposite to Hastings, the general's, Leven's, and Kenmure's regiments, came down briskly, together with their horse, and notwithstanding of a close fire, particularly from the general's own regiment, whereby many of the chief gentlemen of the name of Macdonald, who attacked it, were killed, pushed forward, after they had fired their light pieces at some distance, which made little or no execution, with sword in hand, though in great confusion: which when the general observed, he called the Lord Belhaven to march up with the first troop of horse, to flank the enemy on his left; and he ordered the second troop to do the same on the enemy's right. But scarcely had Belhaven got them without the front of the line, where they had orders to wheel for the flank, though their very appearance made the enemy turn away from the place where they saw the horse coming up, but, contrary to orders, they began to stop, not knowing whereat, and presently turned about, as did also Kenmure's, and the half of Leven's battalion.

"The general observing the horse come to a stand, and firing in con-

fusion, and the foot beginning to fall away from him, thinking that the horse would be provoked to follow his example, and, at any rate, to disengage himself out of the crowd of Highlanders who came down just upon the place where he was calling to the officers of the horse to follow him, spurred his horse through the enemy, where none nevertheless came after him, but his own servant, whose horse was shot in passing, and judged, by the way the enemy made for him, though alone, that, if he had had but fifty resolute horse such as Colchester's, he had certainly, to all human appearance, recovered all, notwithstanding the foot was just all giving way, though sooner on the left, which was not attacked at all, because the enemy's right had not moved from their ground when their left was engaged.

"Balfour's regiment did not fire a shot, and only the half of Ramsay's made some little fire; Lieutenant-colonel Lauder's was advantageously posted on the left of all, on a little hill wreathed with trees, with two hundred of the choice of our army, but did as little as the rest of that wing, whether by his, or his men's fault, it is not well known: for the general would never make enquiry into the failings of that business, because they were too generally committed.*

* Here the general makes the following remarks: "Resolution and presence of mind in battle are singular mercies of God; he denies and gives them, when and to whom he will; for there are seasons and occasions that the most firm and stout-hearted do quake and shake for fear. As Solomon says, 'The wicked fleeth when no man pursueth, but the righteous is bold as a lion;' and though all sincere christians be not resolute, it is because it is not necessary to their calling. But I dare be bold to affirm, that no truly sincere christian, trusting in God for strength and support in going about his lawful calling, whether military, civil, or ecclesiastic, shall be forsaken of him: not that sure victory shall always attend good men, or that they shall always escape with their lives, for experience doth teach the contrary, but God, upon whom they cast their burdens and care, shall so care for them that they shall be preserved from shame and confusion; and they have His promises to whom belong the issues from death, and innumerable means inconceivable to us, to redress the disorders of our affairs, and to support our mind and hope in the greatest difficulties. The general, immediately upon his defeat, and as he was marching off the field, could not cast his thoughts upon any present means to redress his breach, but earnestly recommending to God to direct his mind and judgment to fall upon such methods, as the success should manifest him to be the chief author thereof, wherein he has also been heard, as the sequel of this relation shall demonstrate."

The aptitude of the above reference to Solomon, may better appear by reflecting, that

"Having passed the crowd of the attacking Highlanders, the general turned about to see how matters stood, and found that all the left had given way and got down the hill which was behind our line, ranged above the brow thereof, and in the twinkling of an eye, in a manner, our men as well as the enemy were out of sight, being got down pell-mell to the river-side where our baggage stood; at which spectacle, it may be easily judged how he felt, and how surprised he was at first view, to find himself alone upon the field: but looking again to the right, he espied a small number of red coats, and galloping up to them, he found them to be a part of the Earl of Leven's regiment, with himself and his principal officers upon their head, whom the general praised for their steadiness; but finding the men in confusion, there being some few of other regiments got among them, begged the earl to see to get them speedily in condition to receive the enemy, whom he instantly expected. He then galloped further to a part of Hasting's, where he found the colonel marching them up to their first ground, which he affirmed they had left in pursuit of the enemy, who having thought to fall on their flank, he wheeled about with his pikes to the right upon them, whereby they left him and repaired to the rest of their forces, which they saw among the baggage at the river side, the plundering of which gave time to many of our runaways to get off.* And having joined Hasting's with the

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by whomsoever, and in whatsoever God is trusted, the truster, in that instance, stands in the place of the righteous.

* It is said, that when General Wade was engaged, amongst other government services in the Highlands, in superintending the erection of Tay bridge, happening to fall in with an old Highlander who had been at the battle of Killicranky, in their talking of that engagement, the talents of General Mackay came to be mentioned. I think, said the Highlander, that General Mackay was a great fool. How so? said Wade,—he was considered the best man in the army in his time. That may be, answered the other, but he was a fool for all that: did he not put his men before his baggage at the battle of Killicranky? Certainly, said Wade, and I would have done the same thing. Then you would be a fool too, replied the old man: the baggage should be put foremost; it would have fought the battle itself, far better than the men. We ken weel the Hielandmen will rin through fire and water to win at the baggage. Had the general put it first, our men would fall upon it, and then he might come wi' his men and cut us all down: och! the baggage should be put first, indeed should it.

rest of Leven's, he dispatched a nephew of his, Captain (Robert Mackay) of his regiment, seeing him on horseback, though he had eight wounds with broad-swords upon his body, after the runaways, to exhort all officers he could meet with, to keep up their men, and labour to bring them back to join him, in which case he assured them of the advantage. Meantime seeing the officers could not bring their men into any order, and looking every minute for the enemy's appearing, he examined a garden which lay behind, of design to place these few troops there, in expectation of succour, but presently altered his purpose, considering, if succour failed, as readily would happen, there was no hope of escaping out of the enemy's hands, by defending such an inclosure.

"While he was in these irresolutions, and expecting his nephew's return, he at last brought news, that all was gone away, and that such as he had spoke to, noticed him not. Meantime the general espied numbers of men forming themselves, as it appeared, along the edge of a wood which was upon Balfour's left, and where Lauder had been posted with 200 men; and as he had not yet been informed of the behaviour of that wing, it being already after sun-set, he thought these might be some of his own men, who had retired to the wood upon the Highlanders' descent: so galloping up the hill, to have a nearer view of them, and discovering them to be enemies, he stepped back softly to his men, and ordered them to walk off slowly, whereby the enemy, who might perhaps think that they resolved to receive them briskly, would allow them to retire quietly, the obscurity hindering them of a full view of our number; so leading them softly down the hill, he passed the river, and halted a little, to get over his men, and to observe whether the enemy would approach the river after them.*

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* A powerful Highlander, armed with a Lochaber axe, it is reported, who knew the general, was standing in the river to oppose his passage, and cut him down; upon which he stood still, and ordered his servant, who also was powerful, to clear the ford. He instantly went up, and having with one blow cut off the fellow's head, exclaimed, *S'cruaidh en ubhar so, mac brather m'aither!* i. e. *This is hard work, my father's brother's son!*

"The enemy lost on the field six for our one, the fire on our right having been continued and brisk, whereby not only Dundee, with several gentlemen of quality of the counties of Angus and Perth, but also many of the best gentlemen among the Highlanders, particularly the Macdonalds of the isles, and Glengarry, were killed coming down the hill upon Hasting's, the general's, and Leven's regiments, which made the best fire, and all the execution, particularly the general's battalion, made destructive fire, being well exercised thereto by his brother (James), who being his lieutenant-colonel, commanded a battalion, and was killed upon the spot, with several of the old soldiers, pikemen, who stood by him after the rest had run away. There were also two captains and five subalterns of that battalion killed, and the other two captains left wounded upon the place; for certainly the greatest force of the enemy's side was poured upon that battalion, and the reason was, that some of the enemy's officers, who had carried arms in that regiment abroad, were of opinion, if it were beat, it would facilitate the rest of the work; but there was a great difference betwixt it when they had known it and at this time, as was also of the other two regiments come out of Holland, the king having taken away their best and oldest men, to recruit the Dutch regiments in England. Brigadier Balfour was killed, with some few persons by him, labouring to get off after his regiment had abandoned him. There were also killed a lieutenant-colonel of Kenmure's regiment, and a captain of Ramsay's, with other officers which I do not remember; but the most part of the slaughter and capture of officers and soldiers was in the chase." Such was the confusion which arose from the panic with which the greater part of the general's troops were seized, and their sudden retreat in all possible directions,—occasioned by the impetuous onset of the Highlanders, the eagerness of the latter to seize on the baggage, and the death of Dundee,—that the general himself seems at a loss to describe the concluding stages of this battle. As none else had better advantages to do so, or loved in a higher degree to state matters in their proper light, no account more satisfactory than he has given, can be expected from any other quarter.

That the Viscount of Dundee possessed courage, activity, and a con-

siderable degree of military skill, may be allowed, though his conduct all along afforded no great evidence of it, previous to this battle: and even then, accident seems to have been his best ally. But he was ambitious, proud, licentious, and cruel, and always, since his return to Scotland, engaged in a bad cause. He hunted down numbers of proscribed, defenceless, innocent people, and was guilty of countless actions of baseness, severity, and cruelty, during the two former reigns. It was for these, and his zeal in executing the arbitrary mandates of the court party, that he obtained his titles: and he enriched himself by the spoils of honest and pious persons, who could not in conscience submit to those iniquitous commands. It is apparent that his sinister and ambitious views led him to take part with James, more than any favour he retained for him. He met with the convention at their first sitting on the 14th March 1689, though that meeting was called, not by order of King James, but under the authority of "circular letters from his Highness, the Prince of Orange," who was then King of England. He also attended on the two following days, and left his place only when he found that he, and others who had been most forward in promoting the slavery of the nation, would be removed from public offices, or narrowly watched by the new government. This he clearly saw would soon follow, as the first public measure adopted by the convention, was an order to the Duke of Gordon, (who at the same time had but little concern in the late persecution) to remove from the castle of Edinburgh. The stubborn pride and restless ambition of Dundee took the alarm; his ungovernable spirit could not relish private life, nor his dissolute habits submit to restraint: and he therefore resolved to gratify his ruling passions, or perish in the attempt. He seems all along to have stood greatly in awe of General Mackay, which intimidated him so much, that he did not improve the advantages he possessed at Strathspey, and other places in the north; and it was neither his skill nor prowess, but the instability of Mackay's new levied troops, that occasioned the defeat at Killicranky. The ground was the best for the Highlanders that they could desire. Mackay was drawn to meet them on that ground, through the duplicity and insincerity of

Lord Murray; and the Highlanders were much superior as to numbers, and would have been so, even if the six troops of dragoons and horse which Mackay expected, had come up. But under all his disadvantages, the general had formed his troops and issued his orders so skilfully, that, had the latter been attended to, the event had, in all probability, been very different. In fine, such a character was Dundee, that his memory must rot in the estimation of all who would not have those tyrannical and dissolute reigns recalled, and who reckon the Revolution and its accompaniments blessings.*

After crossing the river, the general's next difficulty was, how he should proceed with the greatest safety when his companions were so few. The officers advised to descend to Perth by Dunkeld, in which course they would take up and succour many of the fugitives, who should otherwise be exposed to the enemy's pursuit; and that besides the propriety of conducting his few attendants to a place of safety, the urgency of the occasion rendered the general's immediate presence in the south necessary. Though these reasons had considerable weight, the general, apprehensive that the Athole-men, who were all in arms, and in search of plunder, might fall upon him; and being then ignorant of Dundee's death, who, he had no doubt, would be ranging the low grounds with

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* Thomas Brownlee, laird of Torfoot, who fought with Claverhouse hand to hand at Drumclog, describes his person thus: "Here I distinctly saw the features and shape of this far-famed man: He was small of stature, and not well formed; his arms were long in proportion to his legs; he had a complexion unusually dark; his features were not lighted up with sprightliness, as some fabulously reported; they seemed gloomy as hell; his cheeks were lank, and deeply furrowed; his eye-brows were drawn down, and gathered into a kind of knot at their junctions, and thrown up at their extremities; they had, in short, the strong expression given by our painters to those on the face of Judas Iscariot; his eyes were hollow; they had not the lustre of genius, nor the fire of vivacity; they were lighted up by the dark fire of wrath, which is kindled and fanned by an internal anxiety, and consciousness of criminal deeds; his irregular and large teeth were presented through a smile, which was very unnatural to his set of features; his mouth seemed to be unusually large, from the extremities being drawn backward and downward, as if in the intense application to something cruel and disgusting; his upper-teeth projected over his lip, and, on the whole, presented to my view the mouth on the image of the emperor Julian the Apostate."

his horse in pursuit of the scattered troops; besides that it would be discreditable if he and his company, who had so narrowly escaped, should become a prey to the enemy; he resolved rather to proceed to Stirling through the hills and grounds which were inaccessible to horse, and where there was the least danger of pursuit, having also the benefit of night in his favour. About two miles beyond the river he fell in with Colonel Ramsay, and a hundred and fifty men, whom he had collected and kept together. With these added to his company, the general ascended alongst a branch of the Tay till he arrived at some little houses, where he found one who described the way to the estate of Wemyss, toward which they directed their course; and having, by break-of-day, arrived at Strath-Tay, the people, supposing them to be of Dundee's followers, "did raise," says the general, "a great noise and shout, whereat our men judging them to be the enemy, began all to break off to the hills, if the general and some officers on horseback had not, with their pistols in hand, threatened them back: but the obscurity hindering a full view at any distance, about a hundred or more got away, who were all knocked in the head, stript, and taken prisoners. We pursued our march with very little halt all that day, being Sunday, the 28th July, finding the country all along as we marched in an uproar: arrived at night at the castle of Drummond, and next day at Stirling."

This defeat, as might be expected, though dearly bought to the victors, by the loss of their leader, and so many brave chiefs and their followers, created a great sensation throughout the kingdom. On his arrival at Stirling, the general met with Sir John Lanier, who had been by the council ordered with a body of the southern forces, to guard the river Forth and the bridge of Stirling. Anxious to know what measures the council had in view to meet the present exigencies, the general was informed by Sir John, that Barclay's regiment had been ordered from Aberdeen back to Dundee; and that he, Sir John, had ordered his own regiment to Edinburgh, from the north of England; but that none of the council's measures had reference to the security of any of the northern counties of Scotland.

As the crown of Scotland had some time before been tendered to the king and queen, the general, who held a commission as commander-in-chief immediately from his Majesty, was less dependent on the committee or council than he was before that tender was made, when he was necessitated to act chiefly under the commission granted by the estates. "He resolved," therefore, he says, "to alter the council's measures, because a hard pull he would have of the Scots war if he left the north, (which contains absolutely the best men of that kingdom for war) to the discretion of the enemy, where he would not only get great numbers to join him, but also take possession of towns, and seize upon the public revenue, whereby they could form a fashion of government, and so have more plausible ways than ever they had, not only to maintain, but to increase their party, besides, the party they had secured on both sides of the borders, who were ready to declare for them upon the first favourable prospect of success; and the rupture already begun in that part of the parliament which had been most determined for their Majesties' government, which in all appearance would perplex the resolutions of that great council of the nation." These were no idle dreams: for similar evils took place in the cases of Montrose and Prince Charles, at periods when concurring circumstances seemed far less favourable than now.

The day after his arrival at Stirling, the general ordered Colchester's regiment of horse, with eight troops of horse, and four of dragoons newly levied, to march thither, the whole not exceeding five hundred; and in the meantime he wrote to Duke Hamilton, that parliament might proceed to their business without any alarm, and that he should lose no time, and spare no pains, to prevent the enemy from profiting by their victory.* The council, at the same time that they got notice of the de-

* Letter, General Mackay to Duke Hamilton, dated 29th July. After giving an account of the battle, and blaming some of the troops who had "behaved like the vilest cowards," he proceeds: "But it seems that God in this, as well as in all acts of his government of the universe, will let us see the vanity of human confidence:" referring, most probably, to the perfidy of the Duke's son-in-law, Lord Murray.

feat, having been also told that the general was killed, they wrote to General Ginkel to march to the borders with nine or ten squadrons of Dutch horse, which were lying in Yorkshire: but on receiving Mackay's letter, this order was countermanded. The general also ordered Sir John Lanier to return to Edinburgh, to accelerate the arrival of his own regiment of horse, and Hayford's dragoons: "discharging, at the same time," says he, "the west-countrymen, some thousands of whom were gathering together upon the news of the defeat, the general being unwilling that those people, whose pretensions appeared exorbitant enough,* should have ground to think

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On the same day, Sir Patrick Hume of Polworth, afterwards Lord Marchmont, wrote to Lord Melville: "I am indeed of opinion that the falsehoods of pretended friends led honest Mackay into the snare." "What is past cannot be helped; if the methods of some honest men had been followed, this great loss might probably have been prevented; if they be yet neglected, greater loss will yet probably befal us. If you do not see to it, your guilt will be heavy."

* He seems to mean here the people afterwards termed Cameronians, who, though most zealous against James, were dissatisfied with the revolution settlement both in church and state, and had adopted high and even new opinions about kingly government, confederacy in war, and other matters, which before and since have been disowned by all enlightened presbyterians. And with regard to those he designates "enemies of the gospel," he means the papists.

In August General Mackay wrote a friendly and pacific letter to the highland chieftains, recommending to them to lay down their arms, and assuring them of an indemnity for the past: to which they made him the following remarkable return:—

"*Birse, 17th August* 1689. Sir, We received your letter from Strathbogy, and we saw that you wrote to Brigadier Cannon from St Johnstown, to which we gave a civil return, for by telling that you support yourselves by fictions and stories (a thing known all the world over) is no railing. The christian means (as you say in your last) you make use of to advance the good cause by, is evident to all the world, and the argument you use to move us to address to your government is consequential to the whole: for instead of telling us what good christians, men of honour, good subjects, and good neighbours ought to do, you tell us in both your letters, that his Majesty has hot wars in Ireland, and cannot in haste come to us, which, though it were as true as we know it is not, is only an argument from safety and interest. And that you may know the sentiments of men of honour, we declare to you, and all the world, we scorn your usurper, and the indemnities of his government: and, to save you farther trouble by your frequent invitations, we assure you that we are satisfied our king will take his own time and way to manage his dominions, and punish his rebels: and although he should send no assistance

that the king could not, without them, maintain his government, unless necessity should oblige him rather to make use of any assistance than see the enemies of the gospel fortify themselves in the kingdom."

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to us at all, we will die with our swords in our hands before we fail in our loyalty and sworn allegiance to our sovereign. Judge then what effect Duke Hamilton's letter has upon us; but you have got an honourable father for this story from Ireland; and although we can better tell you how matters go in Ireland, and that we pity those on whom such stories have influence, yet we have no orders to offer conditions to any rebels; we allow them and his grace to believe on, and take your measures by your success, till his Majesty's further orders. Sir, we thank you for the good meaning of your invitation, (though we are confident you had no hope of success.) And we will shortly endeavour to give you a requital—and those of us who live in islands, have already seen and defied the Prince of Orange his frigates. We are, Sir, your affectionate and humble servants,—*Jo. MacLeane, E. Cameron of Locheil, C. M'Kenzie, D. Mackdonald, John Grant of Balnadaloch, Pa. Steuart, J. M'Nachtane, Alexr M'Donald, A. M'Nachtan, Jo. Cameron, Tho. Farqrson, H. M'Lean of Lochbuye, Alexr M'Donell, D. M'D. of Benbeculla, R. MacNeill of Bara, D. M'Neill, Ra. M'Donald, J. M'Donald, Alexr Maclaine.* We have returned your letter from Duke Hamilton, because you have more use for it than we."—*Records of Parliament.*

In eight days thereafter, a number of the chieftains entered into the following bond of association. "We, Lord James Murray, Patrick Steuart of Ballechan, Sir John M'Lean, Sir Donald M'Donald, Sir Ewen Cameron, Glengarie, Benbecula, Sir Alexr M'Lean, Appin, Enveray, Keppoch, Glencoe, Strowan, Calochele, L.-Coll. M'Gregor, Bara, Large, M'Naughten, do hereby bind and oblige ourselves for his Majesty's service and our own safeties, to meet at the day of September next, and to bring along with us of fencible men, That is to say L. James Murray and Ballechan Sir John M'Lean 200, Sir Donald M'Donald 200, Sir Ewen Cameron 200, Glengarie 200, Benbecula 200, Sir Alexander M'Lean 100, Appin 100, Enveray 100, Keppoch 100, L.-Coll. M'Gregor 100, Calochele 50, Strowan 60, Bara 50, Glencoe 50, M'Naughten 50, Large 50; but in case any of the rebels shall assault or attack any of the above named persons betwixt the date hereof and the said day of rendezvous, we do all solemnly promise to assist one another to the utmost of our power, as witness these presents, signed by us at the castle of Blair the 24th of August 1689 years. *Al. Robertson, D. M'Neil, Alexr M'Donald. Do. M'Gregor, Alexr M'Donell, D. Macdonald, D. M'D. of Benbecula, Al. M'Donald, Tho. Farqrson, Jo. Macleane, E. Cameron of Lochiel, Al. Stuart.*

Another bond was entered into by those chieftains and others, accompanied by an oath of the tenor under written: "We the under subscribers, in testimony of our loyalty to our sacred and dread sovereign, and for the security of our friends and good neighbours, vows and protests before the Almighty God, and on our salvation at the great day, to go on secretly, and with all the power and strength that we have, to stick and abide by one another, and when any of us here under subscribers shall be stressed or any ways molest-

On Wednesday morning the horse and dragoons the general had ordered in, having arrived, he reveiwed them in the park of Stirling, and at two in the afternoon he set out for Perth, leaving orders to a new foot battalion to follow him. As he had no knowledge where the main body of the enemy lay, he was obliged to proceed with caution. He halted that night, to avoid ambushes, in a village half way to Perth; and early next morning four of his party, who had been sent out to make discoveries, told him they had met two daring fellows of the enemy on horseback, who attacked them rudely, one of whom they shot dead on the spot, and the other they wounded and left him speechless, which made the general conclude, that the enemy's main body could not be far distant. He then took a different direction, and crossed the moor of Kilsyth, which reminded him of the victory obtained by Montrose over the covenanters, from whence he went to the left of Perth, having been told, that some foot and horse of the enemy were lodged there, and the main body at Dunkeld.

On coming in sight of Perth, he discovered a party of about thirty of

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ed by any party or enemy whatsomever, we shall repair to their aid with all our strength and power, and that upon the first call, without any farther demur or delay, and that we shall never be biassed or broken off of this said association without the consent of his Majesty's general and the major part of ourselves. So help us God. We have subscribed these presents the 15th of day January 1690, at Tomintoul.—*Frendraught, Tho. Farquharsone, A. Gordone, Will. Oliphant, Jone M'Gregor, C. Farquharsone, Francis Gordon, W. Gordon, Jo. Gordone, Robert Grant, Jo. Grantt, Jo. Farquharsone, Jonathan Grant, J. Forbes, John Grantt of Balnadalloch, Ja. Farquharsone, W. Grantt, A. Gordon, C. Forbes, K. M'Kenzie."—Records of Parliament.*

From these documents it would appear that the Highlanders and others who had hitherto stood out, had little hopes of being able to carry on an offensive warfare, and that their only dependence lay in being able to defend themselves in case they were pursued, or called to an account for their past conduct; and accordingly, though they refused to lay down their arms, and submit to the new government, they performed nothing, nor made any pursuit, excepting some predatory excursions among the most inimical of their neighbours, and but few instances of even these occurred, owing to the vigilance and prudent management of General Mackay. He, at the same time, made it his duty to treat them with every degree of mildness which was consistent with his duty and the public safety; and they, in return, respected and revered the man, though they hated the cause in the support of which he was engaged.

the enemy's horse crossing the Tay, but they were at such a distance that it was imprudent to pursue them. Soon after, however, he perceived a party of the enemy's foot, about three hundred, within half a mile of the town, marching towards Dunkeld, upon which he dispatched four troops of dragoons to make all possible speed to prevent their passing the river, which was then fordable; and at the same time sent some to the higher grounds to discover whether others of the enemy were near. Finding that they were pursued, this company betook themselves to the river, where they were overtaken by the dragoons; a conflict ensued, in which about one hundred and twenty of the enemy were killed, and thirty taken prisoners. "All of them were Athole-men; and so stubborn or stupified were they," says the general, "that none of them asked quarter." He lost only one man, who had gone too far, and engaged with four Highlanders. He then wrote to Lord Belhaven, requesting him to inform Duke Hamilton of "this little action, which nevertheless served to good purpose." He also wrote to Sir John Lanier, to hasten forward his and Hayford's regiments, and ordered his own regiment he had left at Stirling to the same purpose. On the 2d of August he wrote to Duke Hamilton:—"Drawing near this town (St Johnston) we discovered some of the enemy's horse already got out of our reach, but their foot not being far from the town as yet, was overtaken by a squadron of Colchester's regiment, which killed a great part of them, and took some prisoners: the whole party being afterwards found to be Athole-men."

Uncertain whether the enemy might not bend his course towards Inverness, the general wrote to Sir Thomas Livingston giving him a detail of matters, with orders to place the town in the best posture of defence possible, adding, that if the enemy should make an attempt there, he should soon find him in his rear, with about 1500 horse; at the same time he gave orders to pallisade the most accessible places at Perth; he also kept strong guards there, and sent scouts in the night time to bring notice, in case the enemy should move towards that town.

In the course of a few days he was informed, that, upon the report of

the victory, several parties from various quarters had joined the Highlanders, and among others, Lord Murray on the head of the Atholemen; and that Cannon, who now commanded, had moved from Dunkeld northward, along the border of the low country, keeping the hills close to his left. Having received certain notice of this, and being apprehensive of the result with regard to the north, after writing pressingly to Sir John Lanier to forward the troops before mentioned, the general marched to Cupar in Angus, where he was told by some who had fled from the battle, that Cannon continued his march northward. This obliged him to proceed to Forfar, where he learned that the enemy had encamped at Glenshee, only eight miles distant, and soon after had removed to Clova, about the same distance from the general's quarters, which obliged the latter to lodge nightly in the open fields, keeping his scouts at their duty, and sentinels in the day-time upon the neighbouring heights.

After remaining two nights at Forfar, the general got notice that Cannon had passed to Abergeldy, from whence he might easily march to Aberdeen or Inverness: but lest he might, by a retrograde motion, return upon Angus-shire, while the general was on his northern course, the latter wrote to Sir John Lanier to halt at Forfar till he got some notice of the enemy's march, and then, if circumstances permitted it, to follow him to Aberdeen, "where the general arrived the second day, to the great joy of most part of the inhabitants, who otherwise expected the highland army into their town that very night."

Here an express came to him from the master of Forbes, to say that the enemy, consisting of about 4000 foot, and 150 horse, had taken a strong post upon his father's ground, having the hills behind a wood to cover them, and free access to their friends, in the low grounds of Aberdeen and Banff shires. Satisfied that the enemy were calculating on obtaining a formidable number of horse, the general, to disappoint them, dispatched a courier to Sir Thomas Livingston to leave the command at and about Inverness with Sir James Lesly; to march to Strathbogy with his regiment of dragoons, and to send him, in con-

tinuation, accounts of his progress; and he also wrote to Sir John Lanier to proceed to Aberdeen, where he should find farther directions.

The second day after his coming to Aberdeen the general moved towards Lord Forbes' lands, and on his march was told that Cannon had advanced northward towards Strathbogy. To prevent any design upon Livingston, or junction of the enemy with the northern shires, the general marched by break-of-day for Strathbogy, by which he prevented Livingston's being intercepted. On his arrival there, the enemy being within four or five miles, and so much his superior, he viewed the ground in the day-time in order to pitch upon the post most proper for his party, but as he was in the midst of such as he considered enemies, he placed no guards or sentinels till night, that none of them might be privy to his measures. After this manner he and his party continued, says he, "lodged in the field in a body without tents, and would never separate." Livingston had joined him the first night after coming to Strathbogy; and next day he had sent Sir George Gordon of Edinglassy with a hundred horse to reconnoitre the enemy, having resolved to attack them as soon as Hayford should arrive. On the 17th of August he wrote to Lord Melville from Strathbogy: "The want of some frigates to be employed against those islanders who are joined, doth hinder much. It is not my fault, for it is long since I wrote of it; I am sure three of the smallest rate could not be better employed. I am so unprovided of all things for the subsistence of the troops, as to money, provisions, and tents, that if the enemy knew our inconvenience they would operate the more." "I do not know how my measures will be represented or relished at court: I do things as I judge them most advantageous for the service. His Majesty is a good judge, and may be sure I never betray the interest of his service, nor the trust which he hath put upon me, so far as my judgment can penetrate." "I am marching this day towards the enemy with a considerable number of horse and dragoons, to see if we can make them take to the hills again: for I doubt we shall not get them in any attackable ground."

On being joined by Hayford, the general marched towards the enemy

but found they had decamped and returned to the river Dee; and having followed them thither, he got notice that Cannon had passed the hills towards Mearns and Angus. He considered it hazardous to take that course after such a body of foot, now above 4000 strong, and therefore returned to Aberdeen, and sent an express to Sir John Lanier to acquaint him with regard to the enemy's motions, while himself and party were incessantly on the alert to prevent others from joining the enemy.

At Strathbogy the general received a letter from the council, advising him to fortify the castles of Blair and Finlarie before the rainy season arrived. To which he returned for answer, that he would not desist from harassing the enemy while they continued in such a formidable body, as this service was of far greater importance than the other, which could be done at any time, those castles being so contiguous to the low country: but if the council was resolved on it, his opinion was that Sir John Lanier should be sent for the purpose, with his own and Barclay's regiments which lay at Forfar, accompanied by a party of foot, and the three battalions of the Dutch regiments that had not been at the late battle.

"The council, upon the general's answer," says he, "without consideration of the insufficiency of the place for defence, ordered the Earl of Angus' regiment to Dunkeld, ten miles above Perth, separate from all speedy succour, and exposed to be carried by assault, without the least prospect of advantage to the service by their being posted there, but an assured expectation of being attacked by the enemy, who had not such prejudice at any of the forces as at this regiment, whom they called the Cameronian regiment, whose opposition to all such as were not of their own sentiments, made them generally hated and feared in the northern counties; and it might be easily judged that the men of Athole, now fully declared for the rebellion,* would not fail to lay hold

* This is the first time that the general in his memoirs, applies the term, "rebellion" to the opposition made to King William.

upon the occasion to cut them off, finding them so disadvantageously lodged; and they gave advertisement to Cannon of the opportunity he had to defeat them."

Upon Cannon's advancing to the low grounds, a skirmish took place between his scouts and those of Sir John Lanier, in which some on both sides were killed; and in the mean time the former having received the Athole-men's message, marched through the hills for Dunkeld, which Sir John, who knew nothing of the orders that had been issued to Leven's regiment, mistook for a retreat, and therefore returned to Forfar; and having received the council's orders to proceed to Blair and Finlarie to garrison them, he marched next day to Cupar-Angus, where he got notice from Colonel Ramsay of Cannon's march to Dunkeld, requesting his commands as to what was to be done; but Sir John, who was a stranger to the country, postponed giving any orders till he should be at Perth next day. "In which interim," writes the general, "if the providence of God had not blinded Cannon, and disheartened his Highlanders from continuing their attack, the regiment had certainly been lost: for they had two full days time to conquer them, and all their defence was but low gardens, in most places not above four feet high. But if a sparrow fall not to the ground without our heavenly Father, much more may we conclude that the lot of the children of men is overruled by his providence. This attack, which our own people as well as the enemy judged could not fail of success, produced quite another effect, for after that day the Highlanders had a low esteem of Cannon."*

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* A particular account of this action may be seen in the Life of Colonel John Blackadder, published some years ago. He was then lieutenant in Leven's regiment, and communicated that account in a letter to his brother, dated 21st August 1689, the same day on which the battle was fought. That regiment behaved with astonishing bravery, and repulsed the enemy, consisting, as some of them taken prisoners said, of 4000 men. He sadly laments his "dear and valiant Lieutenant-colonel Cleland," who was killed.

The general lays the blame chiefly on the council for giving special orders regarding the posting of forces, which they ought to have left to the judgment of military officers; and in the next place, on Ramsay for not only neglecting to march from Perth to Dunkeld with all his forces, being aware of the enemy's advance to that untenable posi-

The general, having left Sir Thomas Livingston with a competent number of forces at Aberdeen, returned southward with all speed to join Sir John Lanier; and on his arrival at Brechin, was, for the first time, informed of the council's order to Sir John to proceed to Blair: upon which he sent him an express, to delay his march thither till they should meet, which he accordingly did. In the beginning of September, the general, accompanied by Sir John, together with the foot, horse, and dragoons he had brought with him from the north, and those he found at and about Perth, set forward for Blair: but as he suspected the enemy in their retreat might burn the castle, to prevent its being garrisoned, he sent a threatening message before him, to say, that if the castle was injured he should not leave a standing house in Athole, and that he should burn and destroy all their corns. "Which rigorous message," says he, "saved the house, which it was the interest of the enemy, as well as that of the Marquis of Athole and the whole country to have burnt, being conscious of their own guilt, and consequently having no ground to expect favourable treatment from a garrison placed among them: nevertheless, the prospect of apparent ruin made them spare the house; and the general, notwithstanding the Athole-men were the principal occasion of all the troubles and disappointments he had met with during the whole summer, spared their country, contrary to the determination of most part of the officers of the army; and received, up-

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tion, or to give orders to the regiment to retire, but also withdrawing the dragoons he had previously led to Dunkeld, just when the enemy was about to commence his attack, "contrary to the protestations of the commander of the regiment, Lieutenant-colonel Cleland, a sensible resolute man, though not much of a soldier, who charged those retiring dragoons with the loss and blood of that regiment." Ramsay, however, excused himself, by saying, that Sir John Lanier had delayed his resolution too long, after he had informed him of the danger the regiment was in; and that he could not act without instructions, nor interfere with the council's order: but which, says the general, he should have considered conditionally in such a case of necessity: and though the regiment was ordered to Dunkeld, he was not restricted from relieving them when in danger: "for all officers who are not tied by express orders from their superiors, are answerable for the neglects of the service, as much as the chief commander, though he were present, when they by their rank fall to command a body of the forces."

on the terms of his Majesty's gracious indemnity, all the inhabitants who submitted themselves, and delivered up their arms: for he held it as an inviolable maxim, to destroy none, so long as there was any hope of reclaiming them from pursuing their own and their country's ruin." From Blair castle he wrote, on the 30th of August, to the Duke: "I am extremely weary of this sort of war, which is certainly more fit for a man of fewer years, and one more accustomed to the manner of the country than I am: so that nothing but my zeal for their Majesties' service and the protestant religion could make it supportable to me: If these be so far secured this year as to confine the rebels within their own hills, so as not to trouble the government, I hope his Majesty will have the goodness to permit me to take up my winter quarters in Holland." "Since the above was written, the most part of the Athole-men are come in, and have taken the oath of allegiance, and delivered up their arms." On the 10th September, he informed the Duke, "I have reduced the country of Athole, and placed five hundred men in garrison at Blair castle."

After remaining ten days at Blair, during which he had the castle fortified by pallisades and breast-works, and prepared means for accommodating ten companies of fifty men each, whom he left there in garrison, the general was obliged to return to Perth, because of an order sent him from the king, which prevented him from accomplishing his resolution, as he himself writes, to march to the head of Loch-Tay with a good detachment, to garrison the house of Finlarie belonging to the Earl of Breadalbane, one of the chiefest and most cunning fomenters of the troubles of that kingdom: not for love of King James, but to make himself necessary to the government."* The Highlanders and their

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* He seems to intend here, that Breadalbane was dealing with the Highland chiefs, so as to cast a gordian knot, that he himself might be employed to loose it. He was so employed, and if he wanted the credit, he had the profit of loosing it, as shall be seen.

A John Mackay, who was said to have been a spy at the court of St Germans, writes: "Breadalbane is as cunning as a fox, wise as a serpent, but slippery as an eel: no government can trust him, but where his own private interest is in view. He knows nei-

confederates were dispersed for the season, as the rains had then commenced, and continued for two months; and the general's design in securing the castle of Finlarie, was, that it might be such an additional check upon the Highlanders as might operate towards their submission to government.

The king's order referred to, was, to ship from the west of Scotland for Ireland, Sir John Lanier's, Hayford's, and Hasting's regiments, and to send Colchester's and Barclay's immediately to England, which was accordingly obeyed. Finding that the rains were not likely to subside, so as he might accomplish other measures he had in view, he, in the meantime, distributed his foot forces at Perth and the nearest villages; and "having received letters from London, to take under his care 1000 Danish forces, to see them disembarked at Leith, mustered, and marched to the west of Scotland, and re-embarked for Ireland," he went to Edinburgh; and, after this service was performed, he returned to Perth, and sent Lord Cardross with a detachment "to garrison Fenlarie, which he executed without any rencounter with the enemy."

"The general, apprehending the consequence of the division broached in parliament concerning the lords of session, had written to the Earl of Portland in favour of the Earl of Annandale, and the Lord Ross, as persons of whom he believed well, and might be useful for his Majesty in the beginning of his reign, having rendered themselves very popular among the presbyterians, the only body upon whom

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ther honour nor religion, but where they are mixed with interest. He plays the same game with the Williamites that he did with the Jacobites—always on the side he can get most by; and he will get all he can of both."—*Mackay's Secret Services,* Pp. 199-200.

Dalrymple, in his memoirs, when treating of Breadalbane's negociations with the Highland chieftains, writes: "General Mackay, blown up with the honour which he had acquired in his own profession in Ireland, wrote letters underhand to the king and Lord Portland, against Breadalbane and Sir John Dalrymple." But General Mackay had not then gone to Ireland; and after his being there, he had no concern with the affairs of Scotland. His conduct was the reverse of *underhand* dealing; and with regard to his having been *blown up,* any one who considers his character will at once acquit him of that charge.

he could lay stress for the support of their Majesties' government: representing to the earl, the dangerous consequence of his Majesty's taking all his measures for a kingdom to which he was necessarily altogether a stranger, from the information and counsel of two or three persons, who were labouring to secure the management of the public affairs of that kingdom to themselves and their families; and that, in his opinion, the surest method for his Majesty, as well as for his lordship, would be to give a fair hearing to all parties, whereby they must necessarily be better informed, and consequently more capable to judge of matters rightly. This letter he had sent with the said lords (Annandale and Ross) from Forfar, after they had declared, upon their honour and conscience, whatever the king's determination in the matter in question should happen to be, never to take the least step contrary to their Majesties' interest and service."

During his stay at Perth, the general received a letter from Lord Melville, secretary for Scotland, signifying that the king was resolved to discharge some of the regiments that were in Scots pay, because parliament was unwilling to grant new subsidies; and desired to know which of them was most deserving of being continued. In answer, the general declared his decided aversion to such a measure, and gave his reasons at full length, from the present state of matters, both with regard to the party spirit that prevailed so much among the professed friends of government, and the encouragement and advantages it would afford to the enemy; besides, that the troops now left in the kingdom were too few, and though they were greatly deficient in discipline, yet their being kept standing, would, by intimidating the enemy, tend to secure the public tranquillity: but if, after all, his Majesty was resolved to have it so, he requested to know his pleasure with respect to the number to be continued.

"The general now, apprehensive that the parliament would not meet, or if they did, that they would not grant the subsidy till the matter of the session was regulated; and finding that the king trusted wholly to the advice of the secretary, who was influenced by Lord Tarbet,

whose interest it was, not to let the parliament sit, fearing they should fall upon him no less than on Melville, who was in the whole credit of government, both of them thinking it not safe to trust themselves to a mutinous parliament, which princes have been obliged to gratify by the loss of their most intimate favourites: judging that in either of these cases, King James' party would become strong, and their Majesties' affairs brought into great disorder, whereof the issue might become doubtful; he insisted greatly to have liberty to go to Holland some few months, wherein he knew the enemy could do no considerble harm; and to facilitate his design, he got Major-general Munro,* an old German, as well as a British soldier, who understood the matters of the Highlands pretty well, to be made a member of council, with a yearly pension, to assist in taking the necessary measures for the security of the kingdom in his absence. But Tarbet and Melville, suspecting that his desire was not so much to go to Holland, as to see the king, that he might represent to him the true state of affairs, and either prevail with him to alter the present measures, or lay down his commission as commander-in-chief at his feet: which indeed was his true design and resolution."

The king was disagreeably situated :—He had a war before him in Ireland, and many enemies in Britain: on the one hand he knew Mackay's undeviating integrity, fidelity, and disinterestedness, and must have approved of all parts of his conduct in Scotland hitherto: but on the other, the king was personally unacquainted with that kingdom and its affairs, and such knowledge of them as he possessed was conveyed to him through channels mudded by selfish views and ends. That Melville was "a well-wisher of their Majesties' government in general," is allowed by Mackay; "but he discovered him to be a weak, timorous man as to government, wherein he had never been exercised before, and so bent upon making up his family, to whom he obtained all the places of trust

* Sir George Munro of Culrain.

and profit in the kingdom, that he was ready to embrace and promote whatsoever tended to his own establishment, without examining how prejudicial they might be to the best interests of the king and kingdom." His measures, at the same time, were not of his own, but of Tarbet's projection, "whose mouth he was;" and such proposals as Tarbet prompted Melville to suggest to the king, the latter advised with Tarbet as to their expediency. They represented Mackay as being deficient in the knowledge of state matters, from the nature of his military profession; and of Scottish affairs, from his long absence from that kingdom. To which he himself answers, that having been about twelve months in Scotland wrestling with difficulties, chiefly occasioned by the "double dealing of Tarbet and others of his principles," he could not be ignorant of the nature or tendency of those principles; and with regard to the peace of the Highlands, besides the personal experience he must have acquired during the above period, situated as he was, he "himself," as he says, "was a Highlander by birth, and of one of the most reputed families for a number of good resolute men among them, and which, until now, had special correspondence, and were in good understanding with all the Highlanders; he had better means to know their numbers, interests, and inclinations, and so was more able to take sure measures than others; and he was so well instructed of the enemy's circumstances, that he was, humanly speaking, sure of his design, if such as had the trust of all that kingdom had not intentionally opposed him."*

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* The general adds the following deplorable, but too true state of public matters: "An unpaid, disorderly, and mutinous army; an oppressed people; discontented nobility for the most part; a divided parliament and council; a composition of lords of session unacceptable to most part of the nation, whether from party spirit or upon good grounds, I leave it there; a church divided into two more irreconcileable factions, though both calling themselves protestants, than Rome and Geneva: so much, that many things which the first Reformers did scarcely mention in their writings, are, by the religious zealots of our days, preferred to the being and well-being of the whole protestant interest, that rather than yield the least in those indifferent matters, they would give occasion to the enemies of the faith to overturn what God hath already wrought so far beyond their expectations

Melville and Tarbet had prepossessed Lord Portland so much, as that the general at length could scarcely get an answer to any of his letters, and such as he had received were unsatisfactory, and smelt strongly of that prepossession. But the greatness of his mind appears conspicuously, in the steady and unabated perseverance and zeal which actuated him in performing his service, in the face of all the discouragements, opposition, and even disrespect he had met with, notwithstanding that his feelings, at the same time, were severely hurt, as appears by his repeated exclamations against the authors of his wrongs. He had two friends that never forsook him—his God and his conscience. His own words are, "Nevertheless, he overcame all at last with patience, in the firm expectation that God, who over-rules the destiny of kingdoms, and by whose direction he was pitched upon for that service, when he was so unfit for any by his great sickness, and in whose presence he served the protestant interest in uprightness and self-denied sincerity, would bless his endeavours, and overcome by his providence those difficulties which he met with, to his great discouragement, had he not been supported by that hope."

Melville had endeavoured to have the chief command conferred on

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for the maintenance thereof, as well as of their laws and liberties, yea, of the liberty of all Europe, which mainly dependeth upon the establishment of this present government in Britain. The episcopal government being voted out, and its ministers expecting little brotherly treatment from the re-settlement of the presbyterians, whom they had so violently persecuted during the former reigns, preaching King James more than Christ, as they had been accustomed to take passive obedience more than the gospel for their subject: though this is not to be understood of all, there being many ministers in the northern counties well principled, and affected to their Majesties' government, as the means whereby it hath pleased God to defend his truth against the designs of France; and the presbyterians, impatient to see their religion established by law, are very jealous of the court by the frequent adjournments of parliament. All these considerations made the general look upon Scotsmen of these times as void of zeal for religion, and natural affection, seeing all men hunting after their particular advantages, and none minding, sincerely and self-deniedly, the common good: which gave him a real distaste for the country and its services, resolving to disengage himself out of it as soon as possibly he could get it done, and the service could allow of."

Leven, his son-in-law; but as he could not get that effected, he formed another scheme, to place the general in the shade. "In the commission for modelling the army," says the general, "according to the plan sent down from court, the Earl of Leven, though but a colonel, and a youth without service, was not only joined with the general, but placed first in the commission, which, though it was a manifest breach of order, and an apparent token of his Majesty's mistrust of him, he nevertheless concealed his displeasure, lest by any such disputes, the hands of the enemy might be strengthened, or the service hindered." By his assiduity, however, in stating matters as they were, to the king, to Portland, and to the Scots council, the general, in the end, obtained the greater part of his wishes; for though three of the foot regiments were disbanded, the men were drafted into others; and having sent the courier after mentioned, with a representation to the king, who was then at Chester preparing for his expedition to Ireland, he also obtained his desire with regard to the fort at Inverlochy.

The king immediately ordered three thirty-gun frigates to proceed to the west coast of Scotland with arms, ammunition, and implements, preparatory to the intended work, and enjoined the council to concur in its execution: and as the season was already so far advanced, the general, in the month of March, proposed to the council, that, in the first place, in order the more to intimidate the Highlanders, and force many of them to keep at home to guard their own property, a detachment of 600 chosen men should, in the meantime, be sent in the ships which were to sail with the materials and other necessaries. This was agreed to; but, says he, "because of the emptiness of their coffers, they were not able to dispatch the detachment; and if the general had not got the provost and city of Glasgow to furnish the ships and materials, it had not been done for a month after, whereby the whole designed advantage of sending the detachment had been lost." "That city also furnished and sent with the detachment 5000 pallisades, with 500 spades, shovels, and pick-axes, which with the 1500 sent from England, made 2000 in all." "This detachment," says he, "was under the command of Major Ferguson, a

resolute, well-affected officer, to whose discretion and intelligence he trusted much."*

Melville having come to Edinburgh as commissioner to the parliament, the general applied to the council to appoint a fit person as commissary, so as the forces should be regularly supplied in provisions and other necessaries. The council having, out of courtesy, devolved the power on the commissioner, he turned out the former commissary, to whom there was no objection, and appointed one "who knew nothing of the business, and acted wholly by Melville's own orders." The consequences were such as might be expected: for, says the general, "about the middle of April, though he, to avoid all suspicion of himself, had delivered to the commissary, Melville's creature, L.4000, which the king had sent to the general, towards the expedition: yet Major Ferguson was kept up about five weeks waiting for his provisions; and not only so, but the club, who had joined in parliament with the jacobites, thinking to over-rule that which was called the court party, essayed to debauch Major Ferguson, after it had been publicly known that the general had appointed him to command the detachment of land forces along with the frigates, to whom the said major, who is a vigorous and well-affected man, discovered all their proposals, not concealing a letter from a very near relation of his own, to the same purpose: whereof the general gave present notice to the commissioner, and afterwards to the king."† From delays on the part of government, Major Ferguson did not sail from Greenock till the 15th of May.‡

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* This Major James Ferguson was a distinguished officer under the Duke of Marlborough, and had attained to the rank of lieutenant-general; he was great-great-grandfather of the present James Ferguson, Esq. of Kinmundy, whose eldest son is the sixth James in succession. When in Flanders, he had on one occasion volunteered to go with a small party to guard a great number of prisoners, to a place at a considerable distance, after others had signified a wish to decline the service, as being too hazardous. For the greater safety, he cut the latchets of the prisoners' small-clothes, which obliged them to march with one hand behind, to hold them up. He had a brother of a very different cast, known by the name of *Robert the plotter*, who was a clergyman, and had been expecting a bishopric.

† This letter was very probably from his brother Robert.

‡ "*Edinburgh*, 30*th May* 1690. Their Majesties' high commissioner, and lords of privy

Sir Thomas Livingston, who was stationed at Inverness, sent notice to the General, that though numbers of the Highlanders had been deterred by Ferguson's detachment from quitting their homes, not only had Buchan, (whom James had recently sent from Ireland to take the chief command), collected a body of about 1200 men, but that many, who had hitherto shewn no opposition to government, were ready to join them, unless speedy measures were adopted for their suppression. The general, who was then at Perth, where he had mustered 3000 men, preparative to his expedition to Lochaber, having resolved not to leave that town till all was in readiness for his march, sent orders to Sir Thomas to watch the enemy's motions with such troops as were then within his reach, which amounted, horse and foot, to 1200, informing him at the same time, that he had issued orders to the forces which lay in Aberdeenshire, to march at his call to meet him.*

Having got notice that the enemy had proceeded to Strathspey, Livingston marched after them, and encamped within eight miles of Castle-Grant, near to which the enemy lay. In hopes of coming upon them by surprise, though he knew not exactly their position, Livingston proceeded in the night-time towards the castle, till he came to a difficult pass, of which he had no previous knowledge, when he would gladly have halted, but finding no convenient place for the purpose, and one of his

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council being informed, that Major Ferguson is with the detached party under his command arrived at the island of Mull, and is now lying at Dunstaffnage: and that severals of the rebels, to the number of 5 or 600 men, have got together in a body within that isle, in and about the castle of Dowart: They do hereby appoint the Earl of Argyle to give order to Sir Colin Campbell of Ardkinglass, forthwith to return to the shire of Argyle, and to raise and convene 600 men out of the said shire, and allows the said earl to nominate and appoint the officers; and they being nominate, and the men being modelled, ordains them to march and join the said Major Ferguson, and to obey such orders as he, the major-general, or the council shall find necessary to be given them; and they recommend to the lords-commissioners of the treasury, to give orders for sending the number of 400 bolls of meal to Inverary, for the use of the said 600 men, &c."—*Records of Privy Council.*

* Livingston's troops were, "his own regiment 300 men, 400 of Lesly's, a company of 100 brisk Highlanders of the Lord Reay's men, which the general had taken into the service a twelve-month before, 300 of Grant's regiment, and two troops of horse."

officers having undertaken to guide him over the pass, he continued his march till within two miles of the castle. A captain of Grant's regiment, who with his company kept the castle, and who had sent the above notice to Livingston, was in waiting for his coming, and finding that he was so near, having shut the gates, that none might apprise the enemy, he went to Livingston, and not only shewed him where they lay, by their fires, but offered to accompany him. On the other hand, the enemy were so infatuated that they had only a few hours before left a secure post, and were now encamped on a plain. Livingston asked his men, who were much fatigued, if they would undergo a little more, in order to attack the enemy. They answered that they would, and none of them should forsake him, for they wished much to be at them. Having allowed them half an hour for refreshment, he marched by a covered way to the river, where there was a ford, guarded by 100 men of the enemy, towards whom he sent a small detachment to divert their attention; and, with Captain Grant as his guide, he led his main body to a ford a quarter of a mile below the other, and sending the company of Mackays across the river before him, he and his other troops followed them: but on his reaching the opposite bank, the enemy took the alarm, and made for the hills dismayed and confused. He then drew up his horse at the spur, but the company of the Mackays out-ran the horse, and first got between the enemy and the hill, upon which the latter, seeing themselves pursued by so few, seemed resolved to make a stand, which, however, was but short; for, having instantly seen the main body advancing, they again fled, when the horse darted in among them, and the Mackays maintained the hill till the rest of the foot came up and fell upon them: so that about 400 were killed and taken prisoners; and, but for a thick fog which favoured their flight, few would have escaped. Livingston lost seven or eight horses, but not one man. This action took place on the 1st of May 1690.*

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* "6*th May* 1690. A letter written by Sir Thomas Livingston, commander of the forces in the north, to General Mackay, giving an account of the rebels at Cromdale, with a list of such of the officers as were then known and taken prisoners."—*Records of Parliament.*

The general makes the following remarks: "The news of this surprise did very much

CHAPTER XVI.

About that time, and before the general had written to the king to Chester, through the intrigues of Tarbet and Melville, his Majesty had sent a Colonel Hill, who, in Cromwell's time, had been governor of the fort then at Inverlochy, to treat with the highland chiefs, and endeavour to pacify them by sums of money. Hill had been for eight days employed in his embassy, before the general knew any thing of his business; but on being told of it, he smiled at the vanity of the attempt, though he not only kept his mind to himself, but forwarded his measures, preparative to his expedition, as if nothing of the kind had existed. While this mock negociation was in progress, the Highlanders solicited for an armistice: They had two points in view: one of which was, that they might rest till the hopes of their king's affairs in Ireland, and of supplies from thence, or from France, were real-

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good to the king's affairs, both in Scotland and England, by abating the confidence of their Majesties' enemies in both parliaments. So little a matter falling out seasonably, can give a turn to affairs of the highest importance; whereby, at the same time, we can see what influence the state of matters in Scotland hath upon those of England: for this small advantage helped not a little to dispose of things at Westminster, as well as at Edinburgh, in favour of their Majesties' service."

He adds, "The direction of God's providence is clearly to be seen here:—Livingston had no intelligence of the enemy being so near the pass;—when he was overtaken by the night, he could find no place to camp in;—he had not gone far through it, when he was offended with his too officious guide, for bringing him into such difficulty; the captain of the castle, though altogether a novice, fell upon a happy method to keep Livingston's march undiscovered, and had a great share in the favourable success; and Buchan, so far contrary to the usual practice of the Highlanders, came the same night from secure ground, where Livingston could not get any advantage of him, to a place where he lay exposed, though he knew that his enemy, who had so many horse and dragoons, was not far off." These, of themselves, shew that envy had no place in the general's breast, and that the only port he steered for, was the public good, in conjunction with his master's interest.

ized; and the other, to drive the time till the season should pass before the fort could be finished. The armistice was granted, and, in consequence, the commissioner sent orders to Major Ferguson to drop hostilities: while at the same time, Buchan and Cannon were preparing busily for another summer's campaign; and, without any regard to these proceedings, the general was no less busy on his part. Hill, however, soon found that his task was both intricate, and tended to no good purpose, and he therefore adopted the general's views, that forcing and bridling the enemy only could prove effectual. The general then chose Hill himself as the fittest person to send to Chester to deliver his representation to the king, which being accompanied by the bearer's own report of matters, met with a gracious return. "But to ransverse the business, Breadalbane posted away with a recommendation from the commissioner, (Melville) to offer his services to the king, to bring off the Highlanders, without the expences of sending an army to Lochaber, as they pretended," to which, however, the king would not then listen, lest it might derange the general's plans. The greater part of the expenses had been already incurred in the arrangements made for the expedition. The commissioner also, on the report of Livingston's victory, found himself obliged to recal the armistice he had granted.*

Previous to his setting out for Lochaber, the general was told by Melville, in presence of the Earl of Leven and Sir Patrick Hume of Polworth, that several formidable plots were hatching against the government both in England and Scotland: but whether or not this was meant either to mislead or retard him, he paid no regard to it, as he considered the Highlanders the most dangerous, for the present, of all enemies. Having sent an order to Major Ferguson to meet him at Inverlochy, he marched from Perth, on the 18th of June, with about 3000 horse and foot; "and having made a motion," says he, "towards

* In a conversation with the general, Melville told him that he concurred with the public opinion, that Breadalbane was an enemy to the king's service, but that it seemed he had been recommended to his Majesty, "for a man capable to bring off the Highlanders, and that he had his order to make use of him to that effect."

the shortest way to Badenoch, to alarm the enemy, as if I intended to pass that way, I turned to the right, because the other way would lead me within a few days march of the enemy, with whom, in that country, full of defiles and difficult passes, I had not a mind to venture an action, till I had joined the forces from the north under Livingston: it being a maxim in our trade, without necessity to put nothing to an apparent hazard when the success is of great importance."

On the 26th, having joined Livingston at Strathspey, and after allowing the forces a day for rest, he marched to Badenoch, where he halted till the 1st of July. As the enemy was persuaded that there was but one pass by which he could get to Lochaber, and in which, as it was narrow, they thought either to intercept or annoy him, he ordered four troops of dragoons to march to that pass, and to remain there for such length of time as would afford the country people, who were all disaffected, an opportunity to apprise the enemy; and then to retire and join the general's regiment. By these means he entered Lochaber through Glenspean, without any obstruction, except what he met with from the hills and bogs; and arrived at Inverlochy on the 3d.

The situation of the old fort did not please him, as there was a commanding hill too near: but he was obliged to prefer it, as there was none else so fit. "The 5th we began," says he, "to work at the fort, and in eleven days got to the full height, the matter of twenty feet from the bottom of the fosse, pallisaded round, with a chanin covert, and glacis: a perfect defence against such an enemy."

On the 17th of July, after the general had ordered a detachment to the Isle of Mull, and had their provisions shipped, he received letters from the council giving accounts of the disaster of the fleet, and of apprehensions of invasions both in England and Scotland, and requiring his immediate return to the south with the troops. He marched from the fort, thenceforward called Fort-William, on the 18th, having left a 1000 men to garrison it, together with 2000 bolls of meal, 30 hogsheads of whisky, L.500 Sterling in cash, and 60 fat cattle. As the baggage horse had either strayed or been seized by the country people, who were

all of them enemies, each soldider had to carry eight days provisions of meal. He arrived at Badenoch on the 20th, and next day went with a party of cavalry, to examine Ruthven castle, which Dundee had burnt; "and having found an old square wall," says he, "within which a garrison could camp securely from surprise or injury, I left the Highland company of Lord Reay's men within it, with tents to lodge them till they should have shelters made; directing the captain* how he should pallisade it about with a breast-work."

Upon his arrival at Perth, 26th July, the general was informed that Buchan and Cannon were ranging the neighbouring districts with two hundred horse: he pursued them for three days through the heights of Athole and Braemar, but could not overtake them; and was then obliged to return for want of provisions. Having marched to Stirling, he dispatched Jackson with four troops of cavalry to Aberdeenshire to assist the master of Forbes in disappointing the enemy's designs in that quarter; and then wrote several letters to the Earl of Marlborough to know how affairs were in England: but his not having received speedy answers, prevented the execution of certain measures he had in view.

Farquharson of Inveray having, with about 600 Highlanders, joined Buchan, they stationed one hundred and sixty of them to block up and starve out the garrison at Abergeldy, kept only by seventy men; and then went to join numbers of their friends in the counties of Mearns, Aberdeen and Banff. Jackson and Forbes pursued them with eight troops

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* This captain, whoe name he does not mention, was his own cousin. "20th October 1690. Anent the petition of Captain Hugh Mackay of Borley, commander of the garrison at the castle of Ruthven in Badenoch, shewing that whereas he was appointed by the major-general's order to command the said garrison in July last, the house being burnt by my Lord Dundee and his party, the petitioner was ordered by the major-general to repair the said house so as the soldiers might be accommodated, and to make up the pallisades and breast-works for their defence in the said garrison, which the petitioner did to the value fo L.160 Sterling, besides soldiers pains which ought to be considered: Therefore craving warrant to two commissioners of the shire of Inverness to value the premises." Warrant granted—and to report.—*Privy Council Record.*

of horse, which were sufficient to defeat the enemy at that time: but Buchan, on their approach, in order to deceive them, placed his foot in an open and loose manner, and mixed his baggage horses with his cavalry, so that Jackson and Forbes, astonished by their imagined magnitude, turned about, and fled speedily without halting till they got to Aberdeen. This affair, trifling as it was, revived the almost extinguished hopes of multitudes of the disaffected, many of whom having augmented the enemy's numbers, advanced to that town and created a great alarm among the inhabitants. Notice having been sent to the general, he dispatched Colonel Cunningham with his own regiment, three hundred men of Beveridge's and Kenmure's, and two troops of cavalry, to Aberdeen: but the enemy who placed themselves betwixt Cunningham and the town, prevented his junction with Jackson and Forbes.

The report of the English invasion having subsided, the general, though he had received no return from Marlborough, proceeded northward. Buchan had left Aberdeen, and marched southward: but on hearing the general was in pursuit of him, he altered his course and returned across the hills to the north. The general, who was detained for some days waiting for provisions, directed Jackson where to join him, and having left Cunningham at Aboyne castle to cover Jackson's march, he proceeded to Abergeldy to relieve and supply that garrison: "And by the way," he says, "by a detachment of sixty dragoons under Major Mackay, defeated Inveray in the hills with two hundred good Highlanders, and burnt all the country about the garrison, because they had blockt the house."

Understanding that numbers were daily flocking to the enemy, and that they had marched to Inverness in expectation of being joined by several thousands, the general, having concentrated his forces, and sent his foot to Aberdeen to wait his orders, he marched with his cavalry, and came within about twelve miles of the enemy, who lay before Inverness preparing for an attack, "as soon as the Earl of Seaforth," says he, "who had gathered all his Highlanders together for that purpose, with others of their party, should have joined them. Upon my unexpected

approach, and Buchan's sudden retreat, the Earl of Seaforth was so intimidated that he sent two gentlemen of his name to offer all the security for his peaceable behaviour I could desire; whom I returned with answer, that I could accept of none but his person prisoner: which, after much repugnancy, being threatened with the present destruction of all his own, and his friends' property, he condescended to, desiring only the favour that I should send out a party by night to make a fashion of surprising him, to which I condescended, sending them so formidable as he could do them no harm. But the earl, upon second thoughts, disappointed the party, excusing himself of his breach of promise, upon pretext that he could not bear confinement: whereupon, threatening to treat him and his vassals with all the rigour of military execution, I dispatched one Major Wishart, a sensible man, who had been a considerable time in the country, with two hundred chosen foot, to whom I ordered the junction of nine hundred Highlanders of the Earl of Sutherland's, the Lord Reay's, and Ross of Balnagown's men, to fall into all the lands under the obedience of the said earl, accessible to horse, to burn their houses and take their goods, which I declared should belong to the party as a prize, resolving to march myself towards Aberdeen with all the horse and dragoons, and three battalions of foot which I ordered to join me from thence, lest the weakness of my party might embolden Buchan with the Highlanders, and Seaforth with his people, to return upon me into his plain country. Notwithstanding which dispositions, being more willing to have him prisoner than to ruin his friends, who, being all protestants, were not the most dangerous enemies, I caused to be conveyed to the earl's camp, an advertisement from some of my party who had a friendship for him, that they would get my orders recalled if he would surrender himself, which he did."*

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* "*Edinburgh, 8th September* 1690. Upon reading of two letters from Major-general Mackay the answer following was returned by the council to him, viz. 'Sir, The Committee are very sensible of the good service you have done to their Majesties, and approve of posting the forces you leave behind you in the north, and of the methods you have taken with the Earl of Seaforth, and leaves it to yourself either to keep him prisoner in

The general returned to Edinburgh in the beginning of October, and on the 7th of that month, and to the 6th November inclusive, his name appears in the list of members of council at all their meetings. Having obtained permission to see the king before his embarking for Holland, the general left Scotland about the end of November 1690,* with some

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Inverness, or to send him forward, as you shall think most expedient. According to your desire, orders were given to the Earl of Drumlanrig for marching of their Majesties' troops of guards to Stirling, and the rest of the forces here being posted according to your former advices, are likewise marched to the said post, and new directions since that time are transmitted to him, to keep a strict and vigilant eye upon the enemy's motions, and that having a competent force at Stirling, he make it his business, whether the enemies march east or west, to engage them; and in case the rebels march towards Perth or Angus, they have allowed the Earl of Argyle, with a detachment of his own regiment, and four companies of the Earl of Glencairn's, to march towards Argyle, and with the conjunction of the fencible-men in that shire, and the earl's followers, he may preserve the peace of that shire, and reduce the islands; and the council hath likewise ordered the Earl of Drumlanrig, to keep a constant correspondence with you and Colonel Cunningham, and to give them a daily account of the advertisements he receives of the enemy's motions, which shall accordingly be transmitted to you. By this you may understand the council have readily complied with the overtures proposed by your former letters, as the best advice for ordering the forces here, so that if any thing different from this hath been insinuated, it must certainly have proceeded through mistake. All possible care is taken to provide Fort-William with meal and other necessaries, according to your advice. This by warrant and in name of the council, is signified to you, by your assured friend and servant, *Sic. Subr* HAMILTON P."—*Privy Council Record.*

" *7th October* 1690. The council do hereby give warrant to Major-general Mackay, commander-in-chief of their Majesties' forces in this kingdom, to transport the person of Colin, Earl of Seaforth, with safety from Inverness to Edinburgh, in such way and manner as he shall think fit."—*ib.*

Seaforth was imprisoned in the castle of Edinburgh on the 6th November 1690. He lay there till the 7th January 1692, when he was ordered to be liberated on finding caution to appear when called, and not to pass beyond ten miles from Edinburgh.—*ib.*

7th May 1692. Seaforth, who had escaped from prison, was taken at Pencaitland, and ordered to close confinement in Edinburgh castle, but was soon after liberated on security to live peaceably.—*ib.*

* " *6th November* 1690. Major-general Mackay acquainted the board that he is now designing to wait upon his Majesty before he go for Holland, and that the Earl of Portland has wrote a letter to him in French, which was read, signifying he had communicated the line he had received from the major-general, to his Majesty; and that his Majesty would send a commission for commanding in absence of the major-general, which the said Earl

view of returning to resume his command: but the king judged, and the event shewed, that his services were, at that time, more necessary in Ireland.

Ireland was then, and for some time before, in a most deplorable state. King James had a strong army of papists that, by his concurrence, exercised every kind of cruelty and severity against the defenceless protestants; and in order to destroy them at one blow, he called a parliament, in which he had an act of attainder passed against a multitude of the devoted protestants in all parts of that kingdom. This act included among others, 1 duke, 17 earls, 7 countesses, 30 viscounts and viscountesses, 2 archbishops, 7 bishops, 18 barons, 33 baronets, 51 knights, 83 clergymen, and 2182 squires and gentlemen. They were all declared traitors without the benefit of a hearing, condemned to death, and their lands forfeited: and to render it impossible for them to escape, the act itself was concealed, and no protestant was to have a copy of it till the expiry of four months after it was passed, that the time might elapse for their standing trial or making concessions.*

All the places of strength in the kingdom were in the possession of James, except Londonderry, which he closely besieged; and having gone to Dublin to hold his parliament, he gave the command to Rosene, a French general, who prosecuted the siege with the utmost vigour and barbarity. He threatened to raze the town, and destroy the inhabitants, without distinction of age or sex, unless they should immediately surrender. On the other hand, the town had resolved to hold out to the very last extremity; and an order was published that none should talk

believed would be in favour of Sir Thomas Livingston; and in respect the said commission was not yet come, the major-general moved that the board might appoint one to command until the commission should arrive. The council left this wholly to the major-general to name the person until the commission come: but declared, that whoever be the person so named, he shall receive commands from the council as exigences fall out."—*ib.*

On the 10th, a letter was received from the king, appointing Sir Thomas Livingston commander-in-chief until further orders.—*ib.*

25th. Proposals by Major-general Mackay regarding the army, garrisons, &c. consisting of fourteen articles, recorded.—*ib.* This appears to have been his last service in Scotland.

* State of Protestants in Ireland, and Popery always the same.

of surrendering, under pain of death. They had consumed the last of their provisions, and to support life were compelled to eat the flesh of horses, dogs, cats, rats, mice, tallow, salted hides, &c. and even this unnatural food began to fail: and, at the same time, they were mortified to see some ships which had arrived with supplies from England, prevented from sailing up the river by a boom or chain which the enemy had laid across the channel, and batteries they had raised on both sides. A reinforcement having at length arrived, under the command of General Kirk, Rosene threatened to drive all the protestants of that neighbourhood under the walls of Londonderry, and allow them to perish by cold and hunger, unless they should submit: and finding his threat ineffectual, he executed it to its fullest extent. After stripping all the protestants for thirty miles round, they drove them before them, to the number of 4000, to the town-walls, without sparing the oldest men, nurses and their sucking infants, little children, women newly delivered, and some even in labour. The besieged, on seeing such a scene of cruelty, erected a gibbet in sight of the enemy, and sent a message to Rosene to say, that they were resolved to hang all the prisoners they had taken during the siege, unless those people were immediately dismissed. This produced the release of the protestants, after they had been detained for three days without any food; but some hundreds of them died of famine or fatigue; and such of them as reached their homes, found them sacked and pillaged by the merciless papists.

In this lamentable state of matters, General Kirk ordered two ships laden with provisions, to sail up the river under convoy of the Dartmouth frigate. One of the ships called the Mountjoy, wind and tide favouring, came on with such force, that she broke the boom; upon which the three arrived in safety at the town, after passing through a thick fire from both sides of the river. The papists felt so disappointed at this unexpected event, that they retired speedily in the night-time, after they had lost about 9000 men at the siege.*

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* Smollett's History of England.

These are some outlines of the state of matters previous to King William's arrival in Ireland; and such would have been the calamities of protestants both in England and Scotland, if James had regained his crown. After the well-known battle of the Boyne, and the surrender of Waterford to General Kirk, King William, on the 9th of August 1690, laid siege to Limerick, but raised it next day; "and upon the same day he set off for England, leaving the command to Count Solmes, who likewise quitting the army soon after, it devolved upon General Ginkell, who was destined to finish the civil war in Ireland."* That the chief command in Ireland was not conferred on Mackay, who was now lieutenant-general, may probably be accounted for, from the following nearly just remarks of a generally-known writer, who knew him well: "Mackay, a general officer, that had served long in Holland with great reputation, and who was the piousest man I ever knew, in a military way, was sent down to command the army in Scotland. He was one of the best officers of the age, when he had nothing to do but to obey and execute orders: for he was both diligent, obliging, and brave; but he was not so fitted for command: his piety made him too apt to mistrust his own sense, and to be too tender, or rather fearful in any thing where there might be a needless effusion of human blood."† Hence there is ground to think that he would rather decline the chief command in Ireland: for though he was of all men the fittest to deal with Scotsmen and Scots Highlanders, the barbarous and bloody papists of Ireland required more severe treatment than he would feel inclined to bestow; and, from the posture of affairs at the time, the war there threatened to be long and very bloody. It is also most likely, that the command was given to Ginkell before Mackay had gone to Ireland, which was several months after the former had been there.

While preparing to sail for Holland, the king, having furnished Ginkell with a considerable army, and dispatched General Mackay with the best of the troops he had had in Scotland, as a reinforcement, and suitable pro-

* Wynne's History of Ireland. † Burnet's History of his own Times.

visions of every kind, he sent him an unlimited pardon to all who would accept of it, with an order for its publication: He, however, not only omitted to publish it, lest the enemy might impute it to fear, and the protestants decline to contribute to a war which might thereby be superseded; but, that his soldiers might fight their way the better, by having no safe retreat, he left no magazines or securities behind him. He gained several advantages over the enemy in spring 1691, and having taken Ballimore after a short siege, he marched on the 19th of June to Athlone.*

Athlone consisted of two towns, divided by the river Shannon, over which there was a stone bridge. Both towns were strongly fortified, but a breach having been made in one of the bastions of the town next to the British army, General Mackay stormed it, and took the town; upon which the Irish fled to the bridge to get to the other town, some of whom by that means escaped; but those in the opposite town, from an apprehension that Mackay, in pursuing the hindmost fugitives, might pass the bridge, blew up the arch next themselves, and left their friends to be either taken or killed.

Both towns having annoyed each other for some time, Ginkell ordered a wooden work covered with planks to be made across the broken arch, which was finished in nine days. Two battalions were selected to storm the opposite town next day, and a guinea was given to each of the soldiers, to stimulate them for the arduous service. On the other side St Ruth, an old experienced French officer, who commanded the Irish, continued to send fresh troops into that town to oppose the assailants: but when the British troops were ready for the attack, a grenade thrown by the enemy set the wooden work on fire, and destroyed both it and all hopes of succeeding in that manner; and, what was not less vexing to the British soldiers, the Irish during the night continued to jeer them, that they had given bad value for the money they had received.

Ginkell now found himself disagreeably situated. He could not for any length of time maintain the town he had taken, both because it was

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* Dalrymple's Memoirs.

weaker than the other, and that provisions began to get short; and if he should retire, it would embolden the enemy and discourage the protestants; nor had he provided any place of safety in case he must have retired, for which he might incur censure, as well as for not proclaiming the indemnity in terms of the king's appointment. At a little distance below the bridge, there was a deep rapid ford, breast high, with a rough stony bottom, so narrow as not to admit of more than twenty men abreast, and defended on the enemy's side by strong batteries: so that it was accounted next to madness to think of attempting a passage by that ford. It was projected to make a bridge of pontons across the river below the ford: but this also failed. General Mackay had repeatedly recommended to try a passage at some other place, but he was over-ruled. In this dilemma General Ginkell called a council of war; and such were the circumstances in which the officers saw themselves placed, and the fervour of the soldiers to have at the Irish, in return for their jeerings during the preceding night, that the council agreed that the ford should be attempted, all except Mackay, who opposed it as a desperate and unexampled undertaking.

The command in forcing the passage belonged to Mackay in point of right; but General Ginkell, unwilling to commit it to one who seemed to doubt so much of the success, gave the lead to the English general, Talmash. Mackay, however, having complained to Talmash, of the disrespect shewn him by that appointment, the latter discovered both his generosity and bravery, by not only resigning the command to Mackay, but offering to walk through the river at his side. All was in readiness,—the soldiers entered the river—Mackay went on foot by their side, through a continued shower of balls, bullets, and grenades. The rest of the soldiers allotted for the service followed—they gained the opposite bank,—some scaled the walls—some laid planks over the broken arch—others fixed pontons at different places for the passage of the troops—and the Irish, who were quite unprepared for meeting such gallantry, amazed and confounded, left the walls, and fled the town in the greatest consternation, within an hour after the first of the British ranks

had entered the river. A message was dispatched to St Ruth, to inform him of the result: he could not believe it: but Sarsfield having affirmed that the report was correct, he said it was impossible they could take such a town, covered as it was with an army; and that he would give a thousand pistoles if they should attempt a passage by the ford. Soon finding, however, that the intelligence was true, he sent some fresh troops to drive them out, but it was too late, for their own cannon were then turned against them. The Irish decamped that night, and did not halt till they reached Agrim, ten miles off. The British killed 1000 of the enemy, with a loss of only fifty men on their own side.* Ginkell then published the declaration of pardon, which had a good effect, by inducing great numbers to take the benefit of it, and consequently allaying the ardour of the recusants.

Determined now to decide the quarrel by one decisive battle, St Ruth collected his troops from all the neighbouring garrisons to Agrim, where he had an army of 25,000, some say 28,000 men. Ginkell, after spending a week in refreshing his troops, and repairing the works at Athlone, advanced towards the enemy, his forces amounting to about 20,000 men. St Ruth chose a most advantageous post. His army lay along a height, in a line of nearly two miles. Half a mile in front of his elevated camp, there was a large bog, through which were two passages, one leading to the right, and the other to the left of his camp. The latter passage opened into a corn-field upon the left, but in which only four battalions could form a front, and from that to the camp, it led to broken and difficult grounds, and to the ruins of the castle of Agrim, where St Ruth had planted nine pieces of cannon. The passage through the bog to the

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* "It might have been reckoned among those rash actions which are more for astonishment than imitation."—*Wynne.*

The order to pass the river by the ford, "was presently executed by Mackay, with so much resolution, that many ancient officers said, it was the gallantest action they had ever seen."—*Burnet.*

"Never was a more desperate service, nor was ever exploit performed with more valour and intrepidity."—*Smollett.*

right of the camp led to wider ground, and of more equal surface, but not sufficient to contain an army. The space between these grounds was intersected by a number of hedges and ditches along the slope of the hill, and nearly to the margin of the bog; and these were lined with troops. The rest of the Irish army were ranged beside the hedges, and on the heights in front of the camp.

Ginkell divided his army into two wings, the left led by himself, and the right by Mackay. They marched through the two passes of the bog, with an intention to draw towards each other upon the other side, and, if possible, to flank the enemy in the intermediate ground, and then join upon the ascent of the hill.

With a view to attack the two wings separately, before they could relieve each other, St Ruth allowed them to pass the bog unmolested, being certain, if he defeated them, their retreat through the bog would be very difficult. As soon, therefore, as he saw the British left wing drawn into the open ground, he detached most of his cavalry from his left wing to fortify his right. Mackay, who observed the motion, and was glad that the enemy was to trust his strength where the ground was best for the British, advised Ginkell to draw off part of *his* right wing to the left, partly to assist it, but especially to engage the enemy's attention still more to that side. Whilst this motion was in progress, Mackay caused that side of the bog through which he had passed to be examined; and finding it not impassible, he ordered part of the troops under his command to pass through the bog to the corn field, and to be sure to keep their station there, and not to advance upon the Irish in the hedges until they saw that he got forward, and was ready to flank them. Talmash, at the same time, by his order, marched before him with a considerable body of troops, to make an attempt on the castle of Agrim, then weakened by the draft which St Ruth had made from his left to his right wing. But the division in the corn field, which was led by the young Prince of Hesse, neglecting Mackay's orders, in hopes of performing an exploit, advanced upon the Irish in the hedges, before Mackay, their commander, had completed his arrangements on the broken ground. The

Irish waited till they came up to them, and after exchanging some shot, the former retired to draw them on. The English pursued, but were unexpectedly met by fresh bodies of horse and foot, and had volleys of shot poured into their front, flanks, and rear; and in the meantime their former ground was occupied by the enemy. Ashamed of the danger into which they had run, by disobeying the orders of their general, who had been so careful to save them, they fought hard for a while, but were at last forced to give way, and were chased into the middle of the bog with great loss. St Ruth, on seeing this, exclaimed, *Now will I drive the English to the gates of Dublin.*

Mackay, hearing of their distress, returned to relieve them, and sent an aid-de-camp to Talmash to delay his design, and turn to the left to assist him in flanking the enemy in the hedges. All parts of the right wing then united their best efforts,—Mackay and Talmash to save their friends, and these to recover the honour they had lost. The battle on the other side of the field was fought with similar obstinacy. At length Mackay, upon the right, gained ground, and Ginkell soon after having made progress, both ascended the slope of the hill, and were drawing nearer each other. St Ruth saw and feared their junction, and on purpose to prevent it, he descended with a strong body from the height where he had hitherto stood: but in his advance, he was killed by a cannon ball. The Irish, as soon as they saw or heard of it, fled all in confusion. The British chased them four miles. The latter lost 700 men, and the Irish as many thousands.*

This battle, which terminated the Irish war, was gained chiefly by the foresight, good conduct, and courage of General Mackay. It was he who advised Ginkell to draw off part of his (Mackay's) right wing to the left to strengthen it, and to divert the enemy's attention till he examined the bog, and directed the Prince of Hesse to march through it to the corn field; it was he who turned the battle after it was sup-

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* Dalrymple's Memoirs.

"Mackay brought a body of horse and dragoons to the assistance of the left wing, and first turned the tide of battle in favour of the English."—*Smollett.*

posed to be lost through the insubordination and temerity of that young prince; and it was he, by speedily assisting and spiriting up the left wing, and at the same time, prevailing upon the enemy with his own right wing, who gave the first advantage to the British, which, by its being followed up, issued in their complete victory, with comparatively little loss, most of which fell on those who had disobeyed his orders.

After various successes of lesser moment by the British, against a broken and dispirited enemy, an agreement was entered into at Limerick, on the 3d October 1691, consisting of thirteen articles, the first of which was, "The Roman Catholics of this kingdom shall enjoy such privileges in the exercise of their religion as are consistent with the laws of Ireland; or as they did enjoy in the reign of King Charles II. And their Majesties, as soon as their affairs will permit them to summon a parliament in this kingdom, will endeavour to procure the said Roman Catholics such farther security in that particular, as may preserve them from any disturbance upon account of their said religion.* For the performance hereof, we hereunto set our hands,

"Present, SCRAVENMORE. CHARLES PORTER.
H. MACKAY. THO. CONNINGSBY.
T. TALMASH. BAR. DE GINKELL."

Immediately after this agreement, peace was proclaimed in Ireland; and then William became head of the three kingdoms, which James had exchanged for a mass, and a few such things worse than trinkets.

It is probable that General Mackay was soon thereafter permitted to return to Holland, and that he remained there with his family till the king went over in March 1692, to carry on the war against France, in which his illustrious career was soon to be terminated. Burnet's account of the battle in which he was killed, and his brief sketch of his character are as follow:—

"At Steenkirk the king thought he had a fair occasion of attacking the French in their camp: but the ground was found to be narrow, and less practicable than the king was made to believe it was. Ten battal-

* Would the papists, had they prevailed, have made similar concessions to the protestants?

ions began the attack, and carried the post with cannon, and maintained it long, doing great execution on the enemy: and if they had been supported, or brought off, it had proved a brave attempt: but they were cut in pieces. In the whole action, the French lost many more than the confederates did; for they came so thick, that our fire did great execution. The conduct of this affair was much censured. It was said the ground ought to have been better examined before the attack was begun; and the men ought to have been better maintained than they were: for many thought that if this had been done, we might have had a total victory. Count Solmes bore the blame of the errors committed on this occasion. The English had been sometimes checked by him, as he was much disgusted at their heat and pride: so they charged all on him, who had some good qualities, but did not manage them in an obliging manner.* We lost in this action about 5000 men, and many brave officers; here Mackay was killed, being ordered to a post which he saw could not be maintained: he sent his opinion about it, but the former orders were confirmed: so he went on, saying only, *The will of the Lord be done.* He was a man of such strict principles, that he would not serve in a war that he did not think lawful. He took great care of his soldiers' morals, and forced them to be both sober and just in their quarters; he spent all the time that he was master of, in secret prayer, and in reading the Scriptures. The king often observed, that when he had full leisure for his devotion, he acted with a peculiar exaltation of courage. He had one very singular quality: in councils of war he delivered his opinion freely, and maintained it with due zeal: how positive soever he was in it, if the council of war overruled it, even though he was not convinced by it, yet to all others he justified it, and executed his part with the same zeal, as if his own opinion had prevailed." This last admirable trait of his character was notably exemplified by his conduct at the siege of Athlone. The Earl of Angus, Sir John Lanier, Sir Robert Douglas, &c. were also killed in that action. It was fought on the 24th of July 1692.

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* "Let us see," said Count Solmes, "how these English bull-dogs will fight."—*Smollett.*

It is said that in the course of the evening, the king frequently mentioned with regret the death of one of his generals, but said nothing of General Mackay: which the officers present having observed, one of them took the liberty to say, they were surprised that his Majesty had made no mention of his old faithful servant Mackay. "No," replied the king, "Mackay served a higher master: but the other served me with his soul." The king attended Mackay's funeral; and when the body was laid in the grave, he said, *There he lies, and an honester man the world cannot produce.*

Thus lived, and thus died this great christian and hero, full of days and honour; a credit not only to his name, but to his nation; and, what rarely happens with regard to such public characters acting in similar circumstances, all writers, of all parties and principles, when he became their subject, have commended him. All the virtues of the saint, the man, and the soldier, shone in him while he lived; and he died obeying his king, and submitting to the will of his God. He is still termed in his native country, *Shenlar mor*, i. e. The great general.*

Reflections have been thrown out by many against the king for his partiality to foreigners, and for neglecting Generals Mackay and Talmash, when he conferred titles of dignity upon others, not more deserving, for their services in Ireland. Though these charges cannot be refuted, it must, at the same time, be admitted, that the king was placed in circumstances of peculiar intricacy and difficulty; and had duties to perform on the continent, as well as in the British dominions: and therefore, the best perhaps that can be said is, that "the hearts of king's are unsearchable." Mackay himself, as appears from some of his letters, complains of neglect on the part of his prince, through the interferences of others, though that had no influence in relaxing his fidelity or zeal in the performance of his duty: but, on the other hand, it tended the more to fix his eye on a higher source for his reward.

* In a recent publication, General Mackay is termed, "*a soldier of fortune.*" In 1668, upon the death of his brothers, William and Hector, he became heir to an estate in Mackay's country, before described, which now rents at about L.3000 Sterling, besides his having acquired an ample fortune in Holland by his marriage: And with regard to the

CHAPTER XVIII.

As the Highlands still continued in an unsettled state, a scheme was suggested, says Dalrymple, "that a pardon and L.12,000 should be given to the Highlanders in arms, most of which money was to be applied to discharge the claims of the Earl of Argyle upon their estates; and that pensions should be given to all the highland chieftains in Scotland, under a condition of their holding 4000 of their people disciplined for war, and ready at a call to serve at home or abroad. Sir John Dalrymple readily adopted it, and laid it before the king, who sent for Lord Breadalbane to Flanders to adjust the terms. Breadalbane returned to Scotland, and brought the treaty with the attainted Highlanders near to a conclusion: a proclamation was published in the autumn of the year 1691, which declared that all rebels who took the oaths to the government before the 1st of January ensuing, should be pardoned."*

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comparison drawn in that publication, between his military talents and those of Dundee, let an unbiassed public judge.

* *27th August* 1691. "William Rex. Right trusty, &c. Whereas we did allow John Earl of Breadalbane to meet with the Highlanders and others in arms, in order to the reducing them to our obedience; by a representation returned in their names we do understand their willingness to render themselves in subjection to our authority and laws, humbly asking our pardon for what is past, and our assistance for accommodating some differences and feuds which do at present, and have very long troubled these parts: And we being satisfied that nothing can conduce more to the peace of the Highlands, and reduce them, than the taking away the occasion of these differences and feuds, which oblige them to neglect the opportunities to improve and cultivate their country, and accustom themselves to depredations and idleness: Therefore we are graciously pleased not only to pardon, indemnify, and restore all that have been in arms, who shall take the oath of allegiance before the 1st day of January next; but likewise we are resolved to be at some charge to purchase the lands and superiorities which are the subject of those debates and animosities, at the full and just avail, whereby the Highlands may have their immediate and entire dependance on the crown: And since we are resolved to bestow the expenses, and that no body is to sustain any real prejudice, we must consider it as ill service done to us and the country, if any concerned shall, through obstinacy or frowardness, obstruct a settlement so advantageous to our service and the public peace: And we do expect from you the utmost application of our authority to render this design effec-

"The Duke of Hamilton," Dalrymple goes on to say, "in the meantime, from envy against Lord Breadalbane and Sir John Dalrymple, or because he believed he could make better terms for his master, sent emissaries into the Highlands, to prevent the conclusion of the treaty. The highland chieftains played a double game: they wrote to the late king for his permission to make a treaty, promising to him, that they would observe it no longer than it was for his interest; and, at the same time to create jealousies in William of his servants, and amongst his servants themselves, they gave information to the Duke of Hamilton, and to the enemies of Lord Stair and his son, that Breadalbane had concurred with them in the terms upon which they had James's consent to the treaty. Upon this, accusations were presented to the privy council and the parliament, and sent to the king against Breadalbane.

"Breadalbane retained deep in his mind the sense of the Highlanders' breach of faith, and of their injury to himself. He communicated his own passions to Sir John Dalrymple; and the king, who had been long teased, and stopped in pursuits which he had more at heart, by the turmoils of Scotland, was himself irritated. A new scheme was suggested by Lord Breadalbane, adopted by the secretary, (Sir John Dalrymple,) and assented to by the king, for cutting off all the highland rebels, who

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tual; and that you will communicate our pleasure to the governor of Inverlochy, and other commandants, that they be expert and diligent in their several posts; but that they shew no more zeal against the Highlanders than they have ever done formerly when they were in open rebellion. And we do further require and authorise you to emit a proclamation pardoning and indemnifying all that have been in arms against us and our government before the 1st day of June last, of all treasons, rebellions, robberies, depredations, and generally every thing that can be objected against them for being in arms and rebellion preceding the date of the proclamation, &c."—*Privy Council Record.*

Same day a proclamation was issued in terms of the above.—*ib.*

The council wrote to the king, requesting his meaning as to the words, "But that the commandants shew no more zeal against the Highlanders after their submission than they have ever done when they were in open rebellion;" and they also requested to know his pleasure, whether the Highlanders should be allowed to go at large through the kingdom, before they took the oath. One would think this question needless, because until they took the oath, they were always to be considered as enemies.

should not take the oaths to the new government, within the time prescribed by the proclamation. The mode of the execution was intended to be by, what was called in Scotland, *Letters of fire and sword:* an inhuman, but a legal weapon, in the law of that country, against attainted rebels. The order was sent down to the privy council, which, without remonstrating against it, appointed a committee to carry it into execution; and ordered money, a ship, and other military preparations for that purpose. The Lords Breadalbane, Tarbet, and Argyle, had privately agreed to give their assistance, if necessary. The Marquis of Athole, who, by means of General Mackay, had for some time been paying court to the new government, had an hundred men ready. And there is reason to believe, that some of the lords were flattered with the prospect of part of the rebel estates. It is probable that some of the privy council warned the rebels of their danger: for all the attainted chieftains, with their people, took the oaths before the time prefixed, except one, that was Macdonald of Glencoe.

"Glencoe, with all his clan, were peculiarly obnoxious to Breadalbane, because there had been frequent wars between their people. And Sir John Dalrymple thought that mercy would be thrown away upon them, because they had been in the irreclaimable habit of making incursions into the low countries for plunder; and because he had himself obtained a pardon for them from King William, when one of the tribe discovered his accomplices in a crime, the rest had tied him to a tree, and every man of the tribe stabbed him with a dirk, Glencoe, the chieftain, giving him the first blow.

"Glencoe went, upon the last day of December, to Fort-William, and desired the oaths to be tendered to him by the governor of that fortress. But, as that officer was not a civil magistrate, he refused to administer the oaths. Glencoe then went to Inverary, the county town, to take them before the sheriff of the county; but, by bad weather, was prevented from reaching it, until a few days after the term prescribed by the proclamation were elapsed. The sheriff scrupled at first, but was prevailed upon to receive his allegiance. Advantage was taken of Glen-

coe's not having complied literally with the terms of the proclamation; and a warrant for proceeding to execution was procured from the king, which was signed both above and below with his own hand.

"The warrant was executed with many circumstances of extreme rigour. Sir John Dalrymple gave orders that the execution should be effectual, and without any previous warning. For this purpose, in the month of February, two companies went, not as enemies, but as friends, to take quarters in the valley of Glencoe, where all the clan lived. To conceal the intention the better, the soldiers were of their own lineage, highlanders of Lord Argyle's regiment, and the commanding officer, Captain Campbell of Glenlyon, was uncle to the wife of one of Glencoe's sons. All were received with the rude, but kind hospitality of the country. They continued in the valley near a fortnight; and then, in the night-time, rose to butcher their hosts. Captain Campbell had supped and played at cards with Glencoe's family the evening before. Thirty-eight men were slain. The rest would have shared the same fate, had not the alarm been given by one of Glencoe's sons, who heard one of the soldiers say to another, *He liked not the work: he feared not to fight the Macdonalds in the field, but had scarcely courage to kill them in their sleep: but their officers were answerable for the deed, not they.* This execution made the deeper impression, because the king would not permit any of those who were concerned in it to be punished, conscious that in their cause his own was involved."

Breadalbane appears to have received the L.12,000, but the event proved that he never meant to appropriate any part of it to the uses for which the sum was advanced. To enable him to get hold of the money, he promised that he should deliver it to the Highland chieftains; he made the same promise to them, and also privately agreed that they should treat with him with consent of King James; but when they found themselves tantalised in regard to the money, it was natural to expect that they would not only break off the treaty, but also, in their own vindication against the injurious reports circulated concerning them, inform Duke Hamilton and others, how they had been dealt with. Having

gained his principal end, nothing was more desired by Breadalbane, than that the treaty should be dissolved; nor needs it be doubted, that he was a secret instrument in causing its dissolution: not unlike the greedy apprentice, who, having undertaken to feed his master's child, pinched it to make it cry, and then devoured the food himself, alleging the child was fractious and would not take it. In order, however, to keep his ground with the king, Breadalbane suggested his new scheme, which Lord Stair, in a letter to him, terms, "*Your mauling scheme;*" and his son, the secretary, in his letter to him of 3d December 1691, calls, "*Your scheme for mauling them.*" Breadalbane seems to have calculated upon it, that the chieftains would not submit before the day fixed, and that nothing then remained but to slaughter them, and to have their lands divided between himself and a few others.

August 27, 1691. The secretary wrote to Duke Hamilton: "I have sent your grace a copy of the concessions of the Highlanders: the application of the money is by buying in from my Lord Argyle, and from Mackintosh, those lands and superiorities which have been the occasion of trouble in the Highlands these many years. When your grace does consider that the expence comes not from us, that the apprehensions of danger were great when it was begun, and that the king could not resile, with the ease we may have of two or three regiments which we cannot pay, and that the French may be the more earnest to get footing in Britain, that they are likely to lose Ireland, I hope your grace will find the settlement not so ill, nor so ill turned, as to be either dishonourable to the king, or useless to the country at this juncture."

September 30, 1691. The same to Lord Breadalbane: "I spoke immediately to the king, that without the money the Highlanders would never do; and there have been so many difficulties in the matter, that a resolution to do, especially in money matters, would not satisfy. The king said they were not presently to receive it, which is true; but that he ordered it to be delivered out of his treasury, so they need not fear in the least performance; besides, the paper being signed by his Majesty's hand for such sums so to be employed, or the equivalent." "I need not

tell you how much it concerns you, both in your honour and interest, to get evidence you both have dealt sincerely, and are able, in despite of opposition, to conclude the Highland affair." There is more meant than expressed in this last part. On the same day on which the secretary wrote to Duke Hamilton, he wrote to Breadalbane; "If you can see and fix Argyle, it would magnify you, though that cannot be required at your hands. I am sure you are able to make him sensible, considering what the king knows, that his part of the terms are very kind and advantageous; and it must make clear to the world his engagements elsewhere, if he does obstruct his own conveniency, and the king's service in this settlement."

November 24th. The same to the same. "I must say your cousin Lochiel hath not been so wise as I thought him, not to mention gratitude; for truly, to gratify your relation, I did comply to let his share be more than was reasonable; there was no pleas betwixt him and Argyle to be bought in; and he well knows, he, nor Keppoch, nor Appin, cannot lie one night safe in winter, for the garrison of Fort-William."

London, December 2nd. The same to the same. "I should be glad to find, before you get any positive order, that your business is done, (the treaty broken off) for shortly we will conclude a resolution for the winter campaign. I do not fail to take notice of the frankness of your offer to assist. I think the clan Donell (Glengary) must be rooted out, and Lochiel. Leave the Macleans to Argyle. But for this, Leven and Argyle's regiments, with two more, would have been gone to Flanders; now all stops, and no more money from England to entertain them. God knows whether the L.12,000 Sterling had been better employed to settle the Highlands or to ravage them; but since we make them desperate, I think we should root them out before they get that help they depend upon. Their doing, after they get King James' allowance, is worse than their obstinacy; for these who lay down arms at his command, will take them up by his warrant."

December 3d. "By the next I expect to hear, either these people

are come to your hand, or else your scheme for mauling them, for it will not delay. On the next week the officers will be dispatched from this, with instructions to garrison Invergarry; and Buchan's regiment will join Leven's, which will be force enough; they will have pitards and cannon. I am not changed as to the expediency of doing things by the easiest means, and at leisure; but the madness of these people, and their ungratefulness to you, makes one plainly to see there is no reckoning with them: but *delenda est Carthago.* Yet, who have accepted and do take the oaths, will be safe, but deserve no kindness; and even in that case, there must be hostages of their nearest relations: for there is no regarding men's words whom their interest cannot oblige. Menzies, Glengarry, and all of them, have written letters, and taken pains to make it believed, that all you did was for the interest of King James. Therefore look on, and you shall be satisfied of your revenge."

In a letter, dated Loo, September 28th, the secretary wrote Breadalbane: "I got yours from London, as soon as the charge given in against you, which is still with the secretary of England's baggage. So the king has not seen the principal letter; but we have and know its contents. Nobody believes your Lordship capable of doing either a thing so base, or that you could have any secrets in your treaties, where there were so many ill eyes upon your proceedings: but the truth will always hold fast. The king is not so soon shaken, and this attempt against you is so plain, that it will recommend and fasten you more in his favour, when the issue clears the sincerity of your part. And I hope it is not in any body's power to deprive you of the success of concluding that affair, in the terms the king has approven: but it will require pains and dispatch. To return, the king will be over the beginning of October, and I hope to see you before it end; and I have heard there are endeavours using to make the Highlanders either own these base terms, as promised by your Lordship, or else to declare their peaceableness did not proceed on your account, or for your negociation, but because of the endeavours of others. I am not ready to believe these projects will have great effect. Let not any thing discourage you, but

believe all these devices will tend to magnify your service when you finish your undertaking."

Dalrymple adds, "There is a tradition, whether true or not I know not, that when Lord Nottingham afterwards wrote to Lord Breadalbane to account for the L.12,000 which had been given him to be divided among the Highlanders, he answered the letter in these terms: *My Lord, the Highlands are quiet, the money is spent: and this is the best way of accounting between friends.* Breadalbane, it would seem, learned that answer from his own factor, who, it will be recollected, returned such, or one pretty similar, to himself, when called upon to account for his Caithness rents, (p. 378). It is certain, however, that the Earl of Breadalbane was prosecuted for treason, and suffered a long imprisonment for his misconduct towards the Highlanders, as will immediately appear; and the secretary was dismissed from his office. The following, in order to clear up these matters farther, are copied from the records of parliament.

June 10, 1695. "A motion brought from the commission appointed by his Majesty for inquiring into the slaughter of the Glencoe-men, presented by their president, which relating to certain private articles treated and agreed in July 1691, between the Earl of Breadalbane and Major-General Buchan, with several of the Highland clans then in rebellion, and to the depositions of the laird of Glengarry and Colonel Hill, bearing information of high treason against the Earl of Breadalbane, touching the said articles: the motion, articles, and depositions were read, and after some debate, if the earl should be proceeded against, or delayed: It was first put to the vote, which the vote should be, insist presently, or not, or proceed or delay; and carried, insist or not. And thereafter it was put to the vote, if the king's advocate should be ordered to insist presently in a process of treason against the earl, or not, and carried in the affirmative; and an order given to the king's advocate to raise summons of treason against the earl before the parliament." "Ordered that the Earl of Breadalbane be committed prisoner to the castle of Edinburgh, in order to his trial."

"24th. Several members insisting to have the report of the commis-

sion for inquiring into the slaughter of the Glencoe-men laid before the parliament, his Majesty's commissioner told the parliament, that the report of the commission for inquiring into the business of Glencoe, being sent to his Majesty (and returned) on Thursday last, he would lay the same before them, with the depositions of the witnesses, and other documents thereto, for their satisfaction and full information. And if they thought fit to make any other use of it, he made no doubt it would be with that deference and submission to his Majesty's judgment that becometh so loyal and zealous a parliament, in vindication of the justice and honour of his Majesty's government. Then the report of the commission for inquiring into the slaughter of the Glencoe-men was read, with the depositions of the witnesses, the king's instructions, and the master of Stair's letters for instructing the said report. After hearing of the said report, it was voted *nomine contradicente*, that his Majesty's instructions of the 11th and 16th days of January 1692, touching the Highland rebels who did not accept in due time of the benefit of the indemnity, did contain a warrant for mercy to all, without exception, who should offer to take the oath of allegiance, and come in upon mercy, though the first day of January 1692, prefixed by the proclamation of indemnity, was past: and that therefore these instructions contained no warrant for the execution of the Glencoe-men made in February thereafter. Then the question stated and voted, if the execution and slaughter of the Glencoe-men in February 1692, as it is represented to the parliament, be a murder, or not, and carried in the affirmative. Moved, That since the parliament has found it a murder, that it may be inquired into, who were the occasion of it, and the persons guilty and committers of it, and what way and manner should they be prosecuted; and after some debate thereon, the method of the said prosecution delayed; and resolved that this house will take the same under their consideration, first, on Wednesday next: and the master of Stair's letters ordered to be put in the clerk's hands, and any of the members allowed inspection thereof.

26th, The inquiry into the persons who were the occasion of the slaugh-

er of the Glencoe-men was again proponed; and moved that before any further procedure in that affair, there may be an address sent to his Majesty on what is past; and after some debate thereon, the question stated, Proceed further in the inquiry before addressing his Majesty, or address upon what is passed already, without any farther procedure, and carried, proceed further before address. Thereafter the question stated and voted, If they should first proceed to consider the master of Stair's letters, or the actors of the murder of the Glencoe-men; and carried, first to consider the master of Stair's letters; then the master of Stair's letters, with the king's instructions to Sir Thomas Livingston and Colonel Hill, and the fourth article of the opinion of the commission, relating to the master of Stair, were read; and after some debate the question was stated, Whether the master of Stair's letters do exceed the king's instructions towards the killing and destruction of the Glencoe-men, or not: and carried in the affirmative.

"28th, The president of the parliament represented, that there was a print dispersed, entitled, Information for the Master of Stair, reflecting on the commission for inquiring into the slaughter of the Glencoe-men, and arraigning a vote of parliament; and therefore moved, that it may be inquired who was the author of it, and that both he and the said print may be censured. Mr Hugh Dalrymple, brother to the master of Stair, and a member of parliament, (for the burgh of New Galloway), acknowledged himself to be the author, and gave an account of his mistakes, protesting that he therein intended no reflection on the commission, and that the paper was written before the vote passed in parliament, though printed and spread thereafter. Resolved, that first the author, and then the print be censured; and Mr Hugh was ordered to ask his grace and the parliament pardon, which he did again, declaring that what was offensive in the paper had happened through mistake. Thereafter agreed, that the said print was false and calumnious; and the question being stated, If the print spread among the members of parliament, entitled, Information for the Master of Stair, ought to be condemned as false and calumnious, and therefore burnt; or only that the print should be so marked in the minutes of parliament: It carried that

the said print should be marked in the minutes to be false and calumnious.* Then the parliament proceeded in the further inquiry of the slaughter of the Glencoe-men; and in the first place, as to the orders given by Sir Thomas Livingston in two of his letters, directed to Lieutenant-colonel Hamilton; and the said letters being read, after debate thereon, voted first, proceed or delay, and carried proceed. Then the question stated, Whether Sir Thomas Livingston had reason to give such orders as were contained in these letters: it carried in the affirmative *nem con.* Colonel Hill and Lieutenant-colonel Hamilton ordered to attend the next sederunt of parliament.

"July 1st, The Earl of Breadalbane brought to the bar. Voted, if the diet appointed for the Earl to give in his defences, should be the 8th or the 15th of this instant, and carried the 15th; and that in the meantime he may raise letters of exculpation. Then the indictment against the pannel read, and the pannel remanded to prison.

"2d, The parliament proceeded in the further inquiry of the slaughter of the Glencoe-men, as to these who gave the orders, and were the actors in it; and the master of Stair's letters directed to Colonel Hill, with Lieutenant-colonel Hamilton's deposition, and Colonel Hill's order to Lieutenant-colonel Hamilton read, and Colonel Hill called, and compearing, his oath taken before the commission was again read. And it being moved that the said colonel may give his oath, and depone upon what further interrogatories any of the members of parliament shall be pleased to put to him. And he having accordingly deponed on several interrogatories proponed by several of the members of parliament, and signed the same, his deposition was read; and then the vote being put, If from what was laid before the house, Colonel Hill was clear and free of the slaughter of the Glencoe-men, or not: It was carried in the affirmative, *nem con.* Warrant granted to cite Lieutenant-colonel Hamilton, against the next sederunt of parliament.

"4th, Lieutenant-colonel Hamilton cited to this day to compear; being called and not compearing, the execution against him was read.

* It seems not improbable that this print, though retracted by its author, and condemned by parliament, has been resorted to as a source of information by Dalrymple and others.

Ordered that he be cited by an edictal citation, on forty-eight hours, at the market-cross of Edinburgh, with certification, if he compear not, he shall be denounced, and a warrant granted to apprehend and incarcerate him wherever he can be found." That warrant was granted accordingly, as he had absconded.

"8th. Anent Lieutenant-colonel Hamilton, and that part of the report of the commission relating to him, and the orders he got, and the orders he said he gave, with the depositions taken before the said commission, read; and after some debate thereon, the question was stated and voted, If from what appears to the parliament, Lieutenant-colonel Hamilton be clear of the murder of the Glencoe-men, and whether there be ground to prosecute him for the same or not. It was carried he was not clear, and that there was ground to prosecute him." Same day the parliament voted an address to the king, to send Major Duncanson home from Flanders to be examined; and to send from thence Captain Drummond, Lieutenant or Adjutant Lindsay, Ensign Lundie, and Serjeant Barber, to be prosecuted as actors of the slaughter of the Glencoe-men, under trust. On the 17th of July, the process was continued till next session of parliament.

It does not appear from the records of parliament, that any farther proceedings took place, regarding this horrid murder. The deed was vindictive in its design, artful in its progress, and treacherous and barbarous in its execution; but it was divided among so many inventors, fomentors, agents, and instruments, that, though numbers were culpable, it was difficult to find where the guilt chiefly rested; besides, that such as were most guilty, while they managed their part with deep cunning, had powerful interest and friends. The deadly resentment of Breadalbane against Macdonald of Glencoe and his clan, and his usual craft, seem to run through the whole business; and the next to him in crime, was doubtless the secretary, the master of Stair. When Dalrymple, in his memoirs, has given so many copies of letters on this subject, why has he suppressed those wrote by the secretary to Colonel Hill, and the king's instructions to Sir Thomas Livingston? These instructions were issued about two weeks after the time limited by the procla-

mation, and contained "a warrant for mercy to all without exception, who should offer to take the oath of allegiance, and come in upon mercy, though the 1st day of January 1692, prefixed by the proclamation of indemnity, was past." The murdering party went to Glencoe in February; they were there two weeks before they commenced their work; more than a month had then elapsed from the date of the instructions; and Macdonald had taken the oaths six weeks before, and after all, the exterminating order was not recalled. It is, in every point of view, incredible that the king would have at all signed the warrant, had matters been duly stated to him: but his error lay in trusting, amidst the multitude of his affairs, to the fidelity of such as only sought to gratify their own private passions; and had his Majesty been told that all had submitted, except the few inhabitants of Glencoe, he would either have overlooked them, as below his notice, or ordered some lesser punishment, before they were slaughtered in the bulk.

Burnet writes, "The king signed the order without any inquiry about it: for he was too apt to sign papers in a hurry, without examining the importance of them. This was one effect of his slowness in dispatching business; for he was apt to suffer things to run on till there was a great heap of papers laid before him, so then he signed them a little too precipitately. But all this while the king knew nothing of Macdonald's offering to take the oaths within the time, nor of his having taken them soon after it was past, when he came to a proper magistrate. As these orders were sent down, the secretary of state writ many private letters to Livingston, who commanded in Scotland, giving him a strict charge, and particular directions for the execution of them; and he ordered the passes in the valley to be kept, describing them so minutely, that the orders were certainly drawn by one who knew the country well. He gave also a positive direction, that no prisoners should be taken, that so the execution might be as terrible as was possible. He pressed this upon Livingston with strains of vehemence, that looked as if there was something more than ordinary in it: he indeed grounded it on his zeal for the king's service, adding, that such rebels and murderers should be made examples of." Smollett mentions, that when the union between Scot-

land and England was in progress, and the settlement of the succession under discussion, Fletcher of Saltoun presented a scheme of limitation; and the secretary, then Earl of Stair, having argued against it, Fletcher replied, "It was no wonder he opposed the scheme; for, had such an act existed, his lordship would have been hanged for the bad counsel he had given to King James; for the concern he had in the massacre of Glencoe; and for his conduct since the revolution."

The jacobites, or adherents of James, lost no time in raising a mighty outcry through Britain, Ireland, and France, against King William, on account of this slaughter. It was even magnified above all the massacres in France and Ireland, and the military executions in Scotland without any trial under the two former reigns; and as most of the historians since that time have imbibed much of the same spirit, in relating this affair, it remains, in the estimation of a great part of the public, as a stigma on the memory of King William, as if it overbalanced all the benefits he was the instrument of conferring on these three kingdoms: though, at the same time, by taking a clear and unprejudised view of the whole business, it must be seen, as has been said, that any hand he had in it was merely accidental. It may also be seen, whether General Mackay had observed such indirect measures, intended, and in progress against the Highlanders, as led him, *vanity aside*, to write the king and Lord Portland. Indeed, it is more than probable that the butchery of Glencoe, and other harsh and imprudent conduct used at this period towards the Highlanders, bred that irreconcileable hatred in them against the government, which broke out in the two subsequent rebellions: for it was always their manner to transfer a sense of injury or kindness from father to son; and therefore, those who provoked and wronged them at the back of the revolution, were so far responsible for these destructive consequences.

The attention of many of the principal persons in Scotland was engaged in the year 1698, about settling a colony in South America, under the direction of the Indian and African company, which had been incorporated two years before, by act of parliament. Dr M'Crie, in a late

publication, says, "The scheme originated with William Paterson, a Scotsman possessed of true genius, united to great personal modesty and simplicity of character, who selected a spot on the isthmus of Darien, where the land separating the Atlantic from the Pacific Ocean is narrowest, which promised to his discriminating eye, to become the emporium of the commerce of the world. All classes in the nation embarked eagerly in this scheme, some actuated by the hope of making a fortune, and others by the nobler wish of promoting the honour of their country, and extending the gospel." Among others Donald Mackay, (son of Captain William Mackay of Borley, cousin-german of General Mackay,) embarked in the business; and being a man of considerable abilities and learning, he was chosen member of council in the colony, and was a leading man among them. The fleet in which they sailed, consisted of three ships and two yachts; they loosed from Leith roads about the 17th of July 1698, having on board 1200 men, of whom 300 were gentlemen. On the 3d of November they landed between Portobello and Carthagena, at a fine harbour, four miles from the Golden Island; and having taken possession of the country, to which they gave the name of *New Caledonia*, proceeded to lay the foundation of a fort and town, called *Fort St Andrew* and *New Edinburgh*. The scheme, however, did not succeed, though it promised much, and reflected great honour on its author. Several circumstances concurred to render it abortive. "The principal ruin of the colony," says Dr M'Crie, "was the character of the greater part of the settlers. No care had been taken in their selection. The young men of birth, who formed too large a proportion of the colony, were unfit for commanding, and too proud to submit to authority. And among the lower orders were many Highlanders and others, who had taken part against the revolution, and were influenced to join the expedition by dissatisfaction with the government at home. The idle, the unprincipled, and profligate, were at no loss to find persons to recommend them, among the numerous holders of shares in the company. Nor were the persons nominated as counsellors, and especially such of them as were naval officers, fit for that situation. It was not until after

a long struggle, that Paterson prevailed on his colleagues to exercise the right vested in them, by assuming other individuals into the government along with them." "After the assumption of new counsellors in March following, the discontents were checked, and the council dispatched Mackay, one of their number, to Britain, with an address to his Majesty, and a pressing request to the directors to send out with all expedition supplies of provision, ammunition, and men. But no word arriving from home, and the internal state of the colony becoming worse, the council suffered themselves to be hurried into the dastardly resolution of evacuating the settlement, which was carried into effect on the 23d of June 1699, within eight months from the time that they had taken possession of it."

Donald Mackay had set out for Britain on the 10th or 11th of April. After his arrival in Scotland he wrote to the secretary of the directors: "We found the inconvenience of calling a parliament, and of telling the inhabitants that they were freemen so soon. They had not the true notion of liberty; the thoughts of it made them insolent, and ruined command. You know that it's expressly in the encouragements, that they are to serve three years, and at the three years end to have a division of land." Dr M'Crie goes on to say, "That the Spaniards would be jealous of a colony planted so near their possessions, and would do every thing in their power to weaken and extirpate it, was what the Scots were prepared for; but they did not expect the same treatment from the Dutch, whose stadtholder they had lately made a king, or (which was still more galling) from their neighbours and brethren the English. Sir Paul Rycaut, the English resident at Hamburgh, had opposed a treaty of commerce between that town and the Scottish company; and the governors of Jamaica, and other plantations of England in the West Indies and North America, now issued proclamations, prohibiting all intercourse with all the colonists of New Caledonia, and the furnishing of them with provisions or necessaries of any kind, and tending to excite the Spaniards against them as unauthorised intruders on their possessions."

A Mr Hamilton had been dispatched for Scotland two months before Mr Mackay. "After hearing from the council of Caledonia, the directors lost no time in sending out the requisite supplies for their colony. They had previously sent dispatches and provisions by a brig which sailed from the Clyde on the 24th of February 1699, but which unfortunately never reached the place of its destination. On the arrival of Hamilton, Jamieson of the Olive Branch, accompanied by another vessel, containing 300 recruits, well equipped, with provisions, arms, and ammunition, was dispatched with all possible expedition. He was followed by a larger fleet consisting of four ships, and containing 1300 men, which sailed from the isle of Bute on the 24th of September 1699, and reached Caledonia bay on the 30th of November." "The fleet consisted of the Rising Sun, Hope, Duke Hamilton, and Hope of Borrowstonness. Just as they were about to sail, intelligence of the evacuation of the colony reached the directors, who sent an express to stop them; but they, for reasons best known to themselves, had sailed hastily, twenty-four hours before Mackay, one of their former counsellors, could reach Bute with additional instructions founded on his local knowledge."

It appears that Donald Mackay returned to the colony. Among several injunctions sent thither by the directors, they say, "We desire you would constitute a parliament, whose advice you are to take in all important matters. And in the meantime you are to acquaint the officers and planters with the constitutions, and the few additional ones sent with Mr Mackay, that all and every person in the colony may know their duty, advantages, and privileges." The Doctor, after describing the manner in which the Spaniards dispersed the colonists, concludes, "Thus unfortunately terminated the only attempt at colonization ever made by the nation of Scotland. Its failure produced a ferment at home which it required all the arts and influence of the court to allay. The scheme was ruined by the first desertion of the settlement, and that was owing chiefly to disunion and want of energy in the council. If the directors had taken care to put the government of the colony at first into good hands; if they had placed a man of capacity at their

head for a limited time; if they had sent out advices and supplies early and frequently; and if England had acted with a moderate share of liberality, or rather foresight, it would not have been in the power of Spain to mar the success of the settlement. And if it had succeeded, who can estimate the extent of the changes which it would have produced on the state of the American continent, the British settlements, and the commerce of the world? In that case the author of the scheme, instead of being regarded merely as an ingenious speculator, would have had his name enrolled among great men and the benefactors of their species. William Paterson possessed the patriotism and love of liberty which distinguished his friend and coadjutor, Andrew Fletcher of Salton, without the strong shade of national partiality which narrowed the views of that celebrated politician. He was defrauded of the honour due to him, in the formation of the bank of England, by persons who were as far inferior to him in genius as they were in generosity; but instead of wasting his time in declaiming against the ingratitude of mankind, he directed his great powers to the opening up of another channel for promoting their good. And when that also failed, he did not seek to abate his mortification, or to vindicate his fame, by throwing the blame of its miscarriage on the directors who had undertaken to manage it, but he went to these very individuals and submitted to them a new plan of public utility, less calculated to alarm men of timid minds; and in order the more effectually to secure its success, he proposed to admit to a large share of its advantages that very nation which had so ungenerously thwarted his favourite and most splendid scheme. These are proofs of something which is greater than genius, and to which few men of genius, alas! now-a-days at least, have a title to lay claim."*

The only other account regarding this Donald Mackay, is, of his calamitous death. In the year 1702, being at sea, he harpooned a shark,

* Supplement by Dr M'Crie to the Memoirs of Mr William Veitch, lately published.

and having incautiously or accidentally got entangled with the rope, he was dragged over-board and seen no more.

Lord Reay's name appears in the parliament roll 29th of October 1700, and also in the rolls 1702 and 1703, but he attended none of the subsequent Scottish Parliaments. He was a commissioner of supply for Caithness in 1702. The shire of Sutherland was exempted from the supply of that year, being the first that was granted to Queen Anne after her accession to the throne. John Bain (Mackay) of Tulloch was member for Dingwall in 1703 and in all the other parliaments until the union. In 1704, and the two following and last Scots parliaments, Alexander Mackay of Balgown represented the stuartry of Kirkcudbright, and was also one of the commissioners of supply. John Groat of Duncansbay was a commissioner of supply for Caithness in 1702.*

John, Earl of Sutherland, gave constant attendance at all those parliaments; and was one of the Scots commissioners appointed to treat with England regarding the union. He succeeded to the earldom upon the death of his father Earl George, in March 1703; was a member of the privy council; and obtained permission to resume the name and arms of Sutherland, in place of those of Gordon, which his ancestors had borne since the marriage of Lady Elizabeth Sutherland with Lord Adam Gor-

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* Records of Parliament.

8th August 1690. William Groat, portioner of Duncansbay, was ordered to find caution, &c. for his intromissions as collector of the supply for Caithness.—*Privy Council Record.*

The Groats had for several ages been proprietors of the lands of Duncansbay and others in the north-east extremity of Caithness. It is said that at one period eight persons of the family had disputed about the precedence at their public meetings; and that in order to set the question asleep, they built an octagon room, in which each of the claimants had a door for himself by which he entered; and in the centre of the room there was an octagon table at which they sat. It is also said that the ancestor of those Groats, was a ferry-man bewixt Caithness had Orkney, and had frequent disputes with passengers about his fares, till at length the magistrates interfered and fixed the rates at four pence, *or a groat,* for each passenger; and that the ferry-man, whose name was John, was thenceforward termed *Johny Groat.* He has since been heard of over almost all the civilized world. This must have been of an ancient date, as the fare of that ferry has since advanced in the *ratio* of thirty-six to one.

don, as has been formerly stated. He was elected one of the sixteen peers of Scotland to several succeeding parliaments of Great Britain. During his life, which was till 1733, he and Lord Reay appear to have lived on friendly terms.

There was great opposition made in Scotland to the union. Although an union of both kingdoms, which had been above a century under one crowned head, was in many respects desirable; yet such disagreement obtained in the constitutions of the two nations; so deeply rooted was the partiality of each in favour of its own; and such was the balance as to power and riches on the side of England, that it was in vain to think it could take place but at the expense of great sacrifices on the part of Scotland. Such an union had been proposed in the year 1603, and King James was most zealous to have it effected, with a view the more readily to bring Scotland to submit to his humble and obedient servant, prelacy. The most enlightened of the presbyterian churchmen were at that period for union, if such could be obtained without any danger to their ecclesiastical establishment; or if a civil union, without, any relation or interference between the churches of both kingdoms could be had: but as this was both contrary to the design of James, and impracticable in itself, they withstood it. Most of the statesmen, too, had more regard than their descendants, not only for the independence of their country, but also for their religious settlement. The Scots parliament therefore threw obstacles in the way, which frustrated the attempt. With regard to the present union also, the most enlightened statesmen of Scotland were afraid of the consequences of their coming within the power and policy of England.* The generality of the ministers and people were alarmed for their church establishment, obtained at the expense of so much blood and treasure; and many of the nobility, barons, and others, felt for the liberties of their country, and their own dignity and influence, which they saw was too likely to be lost in

* Has the union had any effect similar to the following part of Macdonald's old prophecy? viz. "And daughtie Scottis lairdis sall be fast feed to bere huge Inglis packis."

the whirlpool. "What!" said Duke Hamilton, "shall we in half an hour give up what our forefathers maintained with their lives and fortunes for many ages? Are here none of the descendants of those worthy patriots, who defended the liberty of their country against all invaders; who assisted the great King Robert Bruce to restore the constitution and revenge the falsehood of England? Where are the Douglases and Campbells? Where are the peers, where are the barons, once the bulwark of the nation? Shall we yield up the sovereignty and independency of our country, when we are commanded by those we represent to preserve the same, and assured of their assistance to support us?" Addresses were sent to parliament by the commission of the General Assembly, and from most counties and towns in Scotland against an incorporating union.

The votes of the members were taken on the several articles of the union, and on all of them there was a great minority. On the first, the minority consisted of 21 nobles, 33 barons, and 29 members for burghs; on the other side there were 46 nobles, 37 barons, and 33 members for burghs; majority 33. The Earl of Sutherland was in the majority; the Earl of Caithness, though present, appears to have declined voting; Lord Reay was absent; Alexander Mackay of Balgown, or Polgowan and John Bayne (Mackay) of Tulloch were in the minority.

Lord Belhaven made a pathetic speech, that drew tears from the audience, enumerating the evils consequent on the union, (many of which have been long since realized;) and protested against the act in its favour, "in his own name, and in name of all those who shall adhere to him, that this act is no valid security to the church of Scotland, as it is now established by law, in case of an incorporating union; and that the church of Scotland can have no real and solid security by any manner of union by which the claim of right is unhinged, our parliament incorporated, and our distinct sovereignty and independency entirely abolished." To this protest, 2 dukes, 1 marquis, 5 earls, 2 viscounts, 4 lords, and 9 barons and representatives of burghs adhered. The following is part of Balhaven speech.

"I think I see a free and independent kingdom delivering up that

for which all the world hath been fighting since the days of Nimrod; yea, that for which most of all the empires, states, principalities, and dukedoms of Europe are, at this very time, engaged in the most bloody and cruel wars that ever were,—to wit, a power to manage their own affairs by themselves, without the assistance and counsel of any other.—I think I see a national church, founded on a rock, secured by a claim of right, hedged and fenced about by the strictest and pointedest legal sanction that sovereignty could contrive, voluntarily descending into a plain, upon an unequal footing with Jews, Papists, Socinians, Arminians, Anabaptists, and other sectaries.—I think I see the noble and ancient peerage of Scotland, whose valiant predecessors led armies against their enemies upon their own proper charges and expenses, now divested of their followers and vassallages, and put upon such an equal level with their vassals, that, I think I see a petty English exciseman receive more homage and respect than was formerly paid to their Mackallanmores" (chiefs of Argyle;) "but above all, my Lord, I think I see our ancient mother CALEDONIA, like Caesar, sitting in the midst of our senate, ruefully looking round about her, covering herself with her royal garment, attending the fatal blow, and breathing out her last," (the speaker looking at the time where the leaders sat together) "with a *Et tu quoque, mi fili!* And thou also, my son!" Where are the names of the chief men of the noble families of Stuarts," (why omit the Douglases?) "Hamiltons, Grahams, Campbells, Gordons, Johnstons, Homes, Murrays, Kers, &c.? Where are the two great officers of the crown, the constable and marischal of Scotland? They have certainly all been extinguished! And now, we are slaves for ever! Whereas the English records will make their posterity reverence the memory of the honourable names, who have brought under their fierce, warlike, and troublesome neighbours, who had struggled so long for an independency, shed the blood of their nation, exacted tribute through the most part of it, and reduced a considerable portion of their country to become waste and desolate, &c." "When I consider this treaty, as it has been explained and spoken to before us, these three weeks bypast; I see the English constitution remain firm, the same two houses of parliament, the same tax-

es, the same customs, the same excises, the same trade in companies, the same municipal laws and courts of judicature: but all ours subject to either regulations or annihilations: only we have the honour to pay their old debts, and to have some few persons present for witnesses to the validity of the deed, when they are pleased to contract more. Good God! What! Is this an entire surrender? I find my heart too full of grief and indignation to allow me to proceed, without giving vent for some moments to tears of anguish which I am unable to suppress."*

In course of the debates, Belhaven, describing the significations of the terms *whig* and *tory*, said, "A whig in England, is a heterogeneous creature: in Scotland he is all of a piece. A tory in England is all of a piece, and a statesman: in Scotland he is quite otherwise, an anti-courtier, and anti-statesman. A whig in England, appears to be somewhat like Nebuchadnezzar's image, of different metals, different classes, different principles, and different degrees.† Whig in Scotland, is a true blue presbyterian, who, without considering time or power, will venture all for the kirk, but something less for the state. The greatest difficulty is how to describe a Scottish tory; of old, when I knew him first, Tory was a comradish fellow, who, provided he was maintained and protected in his benefices, titles, and dignities by the state, was little anxious who had the government, and the management of the church. But what he is since *jure divino* came into fashion; and christianity, and by consequence, salvation, comes to depend on episcopal ordination, I profess I know not. Only this I must say for him, that he endeavours to do by opposition, that which his brother in England endeavours by a more prudent and less scrupulous method."

Every manœuvre and argument was used by the prevailing party, and it apppears these had the effect of gaining over many of the opposi-

* When our forefathers apprehended so much danger to their civil and religious establishments, (and many think not without cause) from an incorporating union with England, what would they have felt, had they seen their descendants incorporated with Rome! If their feelings could have allowed any vent to their utterance, they probably would at least have said, that the one was a consequence of the other.

† Is not this an exact description of the modern whigs of Scotland?

tion: but it is probable, at least, that the L.20,000 Sterling, which the queen privately lent to the Scottish treasury; and the equivalent of L.398,085, 10s. to the Scots African, and Indian companies, for the loss of their exclusive trade, and to Scotland for defraying its public debts; together with the many gifts, favours, dignities, and confirmations of charters, and other title-deeds granted while the union was in progress, were of all others the most powerful persuasives. It is generally allowed, as might have been expected, that the money was shamefully misapplied. After all that can be said of the benefits accruing to Scotland by the union, there are many of opinion that these have been much over-balanced by their contraries; and that this will yet be still better seen and felt before the public affairs of Britain are finally wound up. Many of those, such as the Duke of Argyle, the Earls of Mar, Ilay, and others, who were most forward in promoting the union, saw causes afterwards to regret their temerity, and wished to have it dissolved: but it was too late. England, after long hunting, with loss of blood and breath, at length caught in her toils and chained the lion, and then he wished in vain to be set at liberty.

In the year 1710, an accident happened in Caithness which created great agitation in the county, and was long remembered. Alexander Sinclair of Olrig, a man of great bodily strength, and rather turbulent humour, had often annoyed and terrified such as happened to be in his company, and there was none in the county who was thought fit to engage with him in single combat. He had offered some insult to Captain William Innes of Sandside, the consequence of which was a challenge. They, with their seconds, and a servant each, met at Tongside, about seven miles south from Thurso. Their weapons were swords; and after fighting for some time, William Innes run his sword through his antagonist's body, of which he died in a few hours.* Captain Innes fled immediately, and after living for some time with Lord Reay at Tongue, went to France; his second, Sinclair of Dun, also fled, but some time after

* It has been alleged by some, but denied by others, that Sandside's servant threw up Olrig's sword when he received the mortal thrust. Innes was termed *the Meikle Captain.*

procured his peace. A criminal process was raised against them before the sheriff of Caithness, part of which is among the court records: the conclusion was for murder. It was pursued at the instance of Donald Sinclair of Olrig, son of the deceased, with concourse of the fiscal: but it does not appear to have been brought to an issue, as the persons complained on were absent. After several years had elapsed, Captain Innes obtained a remission of the slaughter: but it is said to have been fettered with this condition, that the next in kin to the deceased might kill him with impunity. Whatever may be in this, it is affirmed for certain, that he always retained a Donald Mackay, one of the clan-Abrach, a man of wonderful strength, as a life-guard; and when at any time he went from home, Donald walked before him completely armed. He died about the year 1747, at an advanced age, and having had no issue, made over his property to Harry Innes of Borlum, grandfather of the present William Innes of Sandside.

A strong party of jacobites, or adherents of the late James, still existed in both kingdoms; and from the favour shewn them, and the prevalence of toryism during the reign of Queen Anne, they increased in number and confidence; and no sooner had George assumed the reigns of government, than they openly discovered their resolution to disown him, and set up the Pretender. The west-highland clans, and many others in Scotland, to the number, some say, of more than 12,000, resorted to the standard of rebellion raised by the Earl of Mar; who also expected supplies of men from Ireland, and of men and money from France: but in these he was disappointed. In September 1715, the Pretender was proclaimed king at Castletown of Braemar, Aberdeen, Dunkeld, Perth, Castle Gordon, Brechin, Montrose, Dundee, Inverness, and several other places. They garrisoned Inverness, by which, with the assistance of the Earl of Seaforth and Lord Duffus, they meant to cut off all communication between the Earl of Sutherland, Lord Reay, the Munros, and other loyalists, and these in the south. The Earl of Sutherland was in England when the rebellion broke out: he sailed home in the Queensborough war-ship, expecting a supply of

arms and ammunition to be sent after him; which was accordingly attended to; but the vessel carrying it fell into the hands of the rebels at Burntisland. Assisted, however, by Lord Reay and others, the Earl of Sutherland marched forward for Inverness-shire, where they were joined by Lord Lovat, who had recently deserted the pretender, and declared himself for King George. At this time the rebels were in possession of all the coast from Cromarty Frith to the Forth. They had many friends also in Caithness, but from local disadvantages, they could render them no assistance. The Mackays were led on this occasion by Captain Hugh Mackay of Skowry, who had served under command of his relation General Mackay, as has been stated.

Lord Lovat's account of the taking of Inverness by the rebels, &c. is to the following effect: The Earl of Sutherland, whom the king had sent down, and appointed to command in the north of Scotland, had collected of the Mackays, Rosses, Munros, and his own men, to the number of 1800. Having concentrated at Alness in Ross, they intended to prevent the Earl of Seaforth from joining Mar; and, in hopes of being joined by other royalists, they believed they might be able to restrain not only Seaforth, but also the Marquis of Huntly. In these, however, they were soon disappointed: for Seaforth having been joined by Sir Donald Macdonald of Slate, the lairds of M'Kinnon, Fraserdale, Chisholm, and others, mustered an army of 4000 strong, by which he not only cut off any communication between Sutherland and Lovat and other friends, but he marched to Alness against Sutherland. The latter prudently retired northward, judging it fool-hardy to venture an action against such a superior number: whereas by retiring, he not only saved his men, but partly gained his principal aim by diverting Seaforth for the time from marching to the assistance of Mar. "Seaforth coming to Alness, which is the Munros' country," says Lovat, "allowed his men to commit all the barbarity that could be expected from Turks; they destroyed all the corn and cattle in the country; took of every thing that was useful, within as well as without doors; lodged their men in the churches, where they killed cattle, and did every thing disrespectful

to places of worship; and treated the ministers, of all the people, the worst; took some gentlemen prisoners; and believed that, since Sutherland retired, all the cause were their own."

Seaforth then marched to Inverness, and made himself master of it without any resistance. From thence he sent a message to Duncan Forbes of Culloden, demanding the surrender of his house, which was answered by a peremptory negative of defiance. He next sent Lord Duffus to reason the matter with Forbes, but with no better success. A siege was then resolved on; but after spending twelve days in making preparations, the attempt, which was considered fruitless, was given up. Having left a strong party to guard Inverness, Seaforth proceeded towards Perth, to join the Earl of Mar: upon which Lovat, assisted by most of his own clan, the lairds of Grant, Culloden, and Kilravak, and their followers, marched to Inverness, which he soon recovered; and then dispatched an express to Sutherland with an account of his success. "Lord Reay, Munro of Fowlis, and others, arrived at Inverness on the 13th of November, when the news arrived of Argyle's victory at Dumblane."

"The Munros being left to guard Inverness, the Earl of Sutherland, with his own men, the Frasers, Mackays, Grants, Rosses of Kilravak, Forbeses, and Campbells of Calder, went to Murray to keep Huntly on his own side of the Spey; and matters being tolerably settled there, the earl returned to Inverness."

Seaforth returned north after the battle of Sheriffmuir, and having collected all the forces he could muster, threatened to attack the Earl of Sutherland. The latter hearing this, marched with a party of 800 men, composed of his own men, the Mackays, Grants, Munros, &c. to within four miles of Seaforth's camp, and feeling indignant at his loud and repeated bragging, resolved to attack him: which Seaforth no sooner understood than he laid down his arms, dissolved his forces, and tendered his submission to the king, requesting those friends of government to use their influence to obtain his pardon.*

* Lovat's Account, &c. in Advocates' Library.

Patten's History of this Rebellion, published in 1717, contains the following: In the end of August 1714, the Earl of Mar, the Marquis of Huntly, the Earls of Seaforth, Marischal, and others, having collected their men to about 1000, proceeded to Kirk-Michael, where they proclaimed the Pretender king, setting up his standard, and summoning all people to attend it. They then went to Moulin, from thence to Dunkeld, Perth, and other towns, where they did the same: and in the meantime, multitudes flocked to them till they were about 12,000 strong.

They surprised Burntisland; and having manned several boats, they seized a ship in Leith roads, laden with arms, ammunition, and other warlike stores, bound for the north for the use of the Earl of Sutherland, Lord Reay, and others: and in a little time they were possessed of all the east coast from Cromarty to the frith of Forth. They proceeded to Haddington, and resolved to make an attempt on Edinburgh, in hopes of being joined by the lower classes: but by the prompt and prudent conduct of the magistrates, and unanimity of the citizens, who armed themselves, together with the speedy approach of Argyle, who came from Stirling with a detachment of dragoons, the rebels retired, and possessed themselves of Leith without resistance; and having posted themselves in the old citadel built by Cromwell, they went on board the ships in the harbour, and supplied themselves with cannon, ammunition, spirits, meal, and every thing else which they could find.

Heron, after describing the battle of Sheriffmuir at considerable length, concludes thus: "Yet the action on Sheriffmuir was as fatal to the rebel cause as if it had been a total defeat. Their ammunition was consumed; their scanty stores of provisions were destroyed or lost; the hopes of obtaining speedy and abundant supplies from the spoils of their enemies, were cut off; the highlanders were discouraged, and induced, not by timidity, but by the want of plunder, the severity of the season, and their wonted habits of warfare, to forsake the army, and to steal, one by one, to their homes. For want of horses, ammunition, and bread, as well as from the full dejection of spirits, which the want of success occasioned, Mar was subjected to an utter incapacity of leading his fol-

lowers to the banks of the Forth, even if its streams might have been passed without opposition. From Ardoch, he, on the Monday, conducted his army back to Auchterarder. On the Thursday, they returned to their head quarters at Perth. No supplies had as yet been received from France. Provisions were exceedingly scanty; money was not to be procured; the desertion of the Highlanders dangerously weakened the force of the main army: yet, means were entirely wanting, by which they might be retained together." This writer says that Mar was a far more able military commander than Argyle. But his premises does not appear sufficient to support that conclusion. Mar's army greatly exceeded as to numbers; they chose the best and most advantageous ground; —their only hope lay in victory;—"never were troops more quickly or more exactly drawn up in order of battle; and never did officers behave with greater gallantry." After all, Mar could not boast of victory: but Argyle, in a good degree, might, because the great end in view, which was to crush the rebellion, was gained, and gained at less expense of men's lives than if the victory had been more complete. If Argyle committed an error by his not attending better to his left wing, Mar was no less faulty in pursuing that wing, and the main body, too far, when he ought to have pursued Argyle. Indeed, perfect generalship could not reasonably be expected from either, because it was not their profession.

On the day preceding this action, the rebels were completely routed at the battle of Preston, in the north of England; and after the battle of Sheriffmuir, says Patten, news was brought to the rebels that 1000 men of the Frasers and Rosses, 300 Mackays, 300 Forbeses, and 300 Munros, had beset and taken Inverness, which greatly discouraged them; and besides this, 6000 Dutch foot, lately landed from Holland, were on their march to join Argyle's army.

The Pretender had landed at Peterhead on the 22d of October, from whence he went to Scoon; and having published his declaration on the 25th, he received addresses from the Episcopal clergy and magistrates of Aberdeen. On the 17th January 1716, he issued an order for burn-

ing houses and villages, and destroying all corn and fodder which might be of service to the king's troops, who were advancing in a formidable body against him. In consequence of which order, several towns, Auchterarder, Blackford, Dunning, Muthil, and others, were burnt to the ground, and their miserable inhabitants dispersed in the most inclement season of deep snow that had been remembered.

On the 15th of February, Argyle having advanced toward Montrose, where the Pretender and his forces were lodged, and sent parties before him to clear away the snow, the Pretender ordered his horses to be got ready, making his followers believe he was to retire to Aberdeen: But he and Mar slipped out privately on foot to the sea-shore, and were conveyed by a boat on board the French ship Maria Theresa of St Malo. Some others got on board by other boats: while Earls Marischal and Southesk, Lords Tynmouth and Duffus, General Gordon, and many others of distinction were left to shift for themselves. The Highlanders then dispersed and returned to their homes. About 120 persons of rank, amongst whom were Kenneth Lord Duffus, Sir George Sinclair, Sir David Threipland, &c. retired to Burghead in Murray, where they embarked in ten boats, and landed at Dunbeath, from whence sixty of them escaped to Orkney, where a French ship of twenty guns was waiting to receive them on board.

The Sutherland-men and the Mackays remained at Inverness for some time after the rebellion was put down. Bands of desperados who had been engaged in the rebellion, committed robberies and other acts of violence, which rendered it necessary that they should continue there until these were reduced. When, from the vigilance and activity of their pursuers, it became no longer safe for them to go in parties, and after many of them had been apprehended and executed, one Donald Glass in Ruthven of Badenoch, who possessed great bodily strength and ferocity, still molested the country. A party of the Mackays, who were stationed at Avimore, went often in quest of him, without effect. On the last of these pursuits, he was apprehended by one of the party* in a manner somewhat singular.

* This was a William Mackay, a man of rather low stature, but of uncommon strength

George Mackay, the fifth laird of Bighouse, died about the year 1710. By his wife Catharine, daughter of William Ross of Kindace, he had a son Hugh, and two daughters, Elizabeth and Janet. Hugh died soon after his father, unmarried, and consequently the estate fell to Elizabeth and Janet as co-heiresses. The former married Hugh, second son of George, Lord Reay, afterwards Colonel Hugh Mackay of Bighouse; and Janet married William Mackay of Melness. Their father intended to

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and courage, known by the name of William-Mack-Angus-M'Donald-More. Happening to fall some distance behind his party, and passing by a band of reapers, William heard one of them say, that Donald Glass would sleep in his own house that night, as the party had returned. William passed on for some space, and then lay concealed till dark, when he returned to Macdonald's house, and having peeped through a chink in the door, he saw him sitting before a fire, with his gun across his knees, and his wife sitting beside him. Having calculated on what would take place, William burst the door open with his foot, and, in the instant that Donald levelled his piece, clapped flat on the floor, so that the shot passed over him. He sprung up immediately, seized and bound Macdonald's hands, and put it in his option to be then put to death, or to go with him to Avimore. He chose the latter, and was afterwards brought to Inverness, where he was executed.

There are several acts of valour related of this William Mackay. Travelling, on one occasion, from Moudale towards Strathmore, a man from the top of a tree in a wood called to him, to keep off from a wild bull that had detained him there for two days. William replied, that his keeping off was not for his interest. The bull, hearing William's voice, came leaping and bellowing up to him: he stood firm, till the bull's forehead came in contact with the muzzle of his gun; and having let off his shot, he pushed the muzzle with such force, that it sunk about two inches into his skull. He never was afraid of an enemy, nor turned his back to any, but one:—A serpent of a monstrous size frequented the foot of the mountain Benhie, about three miles west from Moudale, by which several cattle had been killed, and no person could, with safety, pass that way. William had on different occasions gone on purpose to destroy it; but his shot having always missed, he was obliged to betake himself to his heels, and had enough to do to escape from the monster. He had come so often, that at length the serpent was on the watch for him. Resolved, however, upon its destruction, William took a circuitous route, and climbed a precipice above where the hideous beast lay; he then threw some small stones, in order to provoke it; and while the serpent endeavoured to wind itself upwards towards him, he hurled down large stones, which dashed it to pieces. It was generally said that his ribs on each side were all of one piece, or, as it is termed, he was plank-ribbed: but he would satisfy none as to the fact. The author's grandfather, having slept with him one night, told him that such was reported; his reply was, in rather an angry tone, that he should beware of gratifying his curiosity in that matter.

have executed a family settlement, a draft of which, dated 21st December 1709, is among the Caithness records, but he died before it was completed. The tutors and curators he had nominated were, his wife, Catharine Ross, David Ross of Inverchasly, and Captain Hugh Mackay of Scoury on the one side, and John Mackay of Kirtomy, John Munro of Rogart, and Mr John Munro, minister of Reay, on the other. By some subsequent transactions and legal proceedings, in which John Mackay of Clashneach was a party, the whole estate fell to Elizabeth and her husband, Hugh Mackay, in whose favour King George II. granted a charter, dated 12th April 1743.* In 1688 William Ross of Kindace, was killed by James Lord Duffus. A criminal process was in consequence brought against Duffus; but owing to the troubles of the kingdom, after it was called on the 6th of November, it was continued, and it does not appear to have been farther insisted in.† Catharine Ross, after her husband's death, married Robert Sinclair, advocate, brother of Sinclair of Scotscalder, to whom she had four daughters, one of whom was married to Sinclair of Assary, another to the laird of Gise, the third to James Sinclair of Holburnhead, grandfather of the present James Sinclair of Forss, and the fourth to Dr William Sinclair, physician in Thurso, father of the present William Sinclair of Freswick.

Previous to this Lord Reay's time, his extensive country was served by two ministers, one of whom officiated at Farr, and the other at Tongue, Durness, and Edderachillis. At his own expense he erected two additional churches and manses on his property; the one in Tongue and the other in Edderachillis; and he gratuitously gave two glebes, which have since been held by the incumbents. The Rev. John Mackay of the family of Scoury, was licensed in 1706, and in 1707 settled minister of Durness, which, before this new erection took place, included Tongue and Edderachillis. This zealous and pious christian minister, who had the advantage of studying at foreign universities, was eminent for bodily as well as mental vigour, which fitted him for those

* Great Seal Register, B. 98, No. 21. † Justiciary Records.

laborious exertions, in the discharge of his pastoral duties, for which he was so eminently distinguished. He catechised annually the families in the extensive tract of country under his pastoral care, and while so occupied, would sometimes be absent for three months together from his own house. He was translated to the parish of Lairg in 1714, and died in 1753, aged 76. He was succeeded in this parish by his son, the Rev. Thomas Mackay, who died in 1783, aged 86. He also was distinguished for piety and zeal. He was father of John Mackay of Rockfield in Ross-shire, who now lives in Edinburgh. Lord Reay furnished these glebes and manses, in consequence of a transaction with the commission of the General Assembly, who procured a fund by collections at the churches through the kingdom, the interest of which paid the ministers' stipends.

The following are the names of pious and faithful ministers who laboured with great success in Sutherland, during the early part of last century, with the dates when they died: Rev. John Mackay, minister of Lairg, already mentioned; James Smith of Creech, 1760; William Ross of Loth, 1753; Robert Kirk of Dornoch, 1758—he was son of the eminent Robert Kirk of Aberfoyle, who first translated the Psalms into Gaelic verse, and who also, for the benefit of Scotch Highlanders, altered Bishop Bedell's Bible from Irish to Scottish Gaelic; John Sutherland of Golspy, afterwards of Rain, 1768; William Scobie of Assint, 1764. Some of the first ministers in Caithness after the revolution, were, Messrs William Innes of Thurso, John Munro of Reay, Hector Munro of Watten, Alexander Oswald of Dunnet, Andrew Sutherland of Halkirk, Corse of Bower, &c. All these have been much spoken of for their piety, zeal, and diligence. Such was the ignorance of the people in Caithness, when these ministers were settled, that in some parishes, it is said, two or three persons only could be admitted to the sacrament of the supper.

The second minister settled in Edderachillis was a Mr Mackay, one of the Clan-Abrach, a strict disciplinarian.* He lived but a short time; and

* He was son of John Mackay, a linguist and scholar, who will afterwards come under notice.

the people supposed he was taken away by a witch, whose daughter's misdemeanors had brought her under his censure. He was succeeded by Mr George Brodie, who was singular as a man of prayer. A Mr Murdoch Macdonald was settled in Durness, a most melodious and powerful singer; and a Mr John Mackay was minister of Tongue, a preacher of the first order. Lord Reay used to say, that for preaching, praying, and singing, he would match the Tongue presbytery with any other in Scotland. The labours of these and others, with the countenance and example of his lordship's household had such effects, that family prayers were daily observed in almost every house from Caithness to Assint. Lady Reay, General Mackay's daughter, was, like her father, eminent for piety.*

It has been formerly shewn that Donald Mackay of Scoury was proprietor of the lands of Edderachillis, Eriboll, and others, and in which he was infeft in consequence of a feu-charter granted him by his brother, Hugh Mackay of Far. This Donald, as was said, had three sons, Colonel Hugh Mackay of Scoury, who succeeded him, William, and Donald of Borley. William was killed at the battle of Lutzen, and left no issue. Donald of Borley had four sons, Captain Hugh, designed of Scoury; Donald, who was lost at sea, and left no issue; the Rev. John Mackay, minister of Lairg, and Angus. Colonel Hugh of Scoury had five sons, William, Hector, General Hugh, James, and Roderick. William and Hector were murdered, as has been stated, and neither of them having left any issue, the family estate consequently devolved on the general; and who, in the commissions granted to him by the two kings, James and William, is designed *Hugh Macky of Scoury.* James was

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* When the family lived at Balnakeel, she usually went to the church, which was hard by, to her devotion; and the darkest night made no difference. In order to try her fortitude, some persons tied a black sheep in the seat to which her ladyship always resorted. On her approach, she heard the rustling made by the affrighted animal, but saw nothing excepting its eyes staring at her. She laid her hand on the sheep, and finding what it was, said, "Poor thing, they had little sense who put you here." She then loosed it, led it out of the church, and returned to her devotion.

killed at Killicranky, and Roderick died in the East Indies, both without issue. As General Hugh had gone abroad in his father's lifetime, and was in affluent circumstances in Holland, where his wife and children were settled, it seems probable that he never actually possessed, or took any concern with his father's property, but permitted his relations to enjoy it. After his death in 1692, it appears that his uncle Donald's grandson, Captain Hugh, assumed possession of both the family lands and title, and retained them till the year 1714, when he obtained an infeftment, and renounced the lands in favour of Lord Reay; and in 1723, Captain Hugh's eldest son, Patrick, who got himself infeft in the whole property, also renounced the same, in consequence of some transaction with his lordship.* Captain William of Borley, father of Captain Hugh, does not appear to have claimed any right to those lands; nor does the latter appear to have received any legal conveyance to them: to which it may be added, that Patrick's infeftment and renunciation seem to imply a defect in those of his father; and if the latter were defective, those of Patrick were so likewise.

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* Sasine, Captain Hugh Mackay of Scoury, in the lands of Scoury and others, dated 1714.—*Register of Sasines for Sutherlandshire.*

Renunciation and resignation by Captain Hugh Mackay of Scoury, and Jean Dunbar, his spouse, in favour of George, Lord Reay, of the lands of Scoury, Eriboll, and others, dated 1714.—*ib.*

Sasine, Patrick Mackay, eldest son of the late Captain Hugh Mackay of Scoury, in the lands and grazings of Edderachillis, &c. dated 15th May 1722.—*ib.*

Sasine, Patrick Mackay, eldest son of the late Captain Hugh Mackay of Scoury, in the lands of Scoury, Tarbet, Foindell, &c. dated 25th June 1722.—*ib.*

Sasine, the said Patrick Mackay in the lands of Scoury, Sandwood, Eriboll, and others, June 1723.—*ib.*

Discharge and Renunciation by Patrick Mackay to George, Lord Reay, of the lands of Sandwood and others, dated 17th May 1723.—*ib.*

Resignation by Patrick Mackay to George, Lord Reay, of the said lands, dated 5th June 1723.—*ib.*

Farther particulars regarding General Mackay's descendants will be found in the annexed genealogical table.

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CHAPTER XVIII.

John Gow, the noted pirate, and his whole crew, were seized in Orkney, in the month of February 1725. His ship having grounded at the entry of the port of Calfsound near Stromness, and knowing that a frigate was in pursuit of him, he sent his boat ashore with a letter to James Fea younger of Clestran, a former acquaintance, requesting him to send some boats and men to assist in getting his vessel off. This request Fea could not comply with, but at the hazard of involving himself as an abettor of his piracy; but Gow was a desperate man desperately situated. Fea, by a singular degree of cunning, and a train of dexterous management, at length succeeded in taking Gow and all his crew, like fishes in a net, without blood, stroke, or struggle. Gow had offered him L.1000 Sterling, to assist him in making his escape, but all to no purpose. The frigate having soon arrived, Gow and his crew were put on board, and carried to London, where he himself and some of his men were executed. Mr Peterkin, sheriff-substitute of Orkney, in his sketches on those islands, has given copies of the letters that passed between Gow and Fea, a perusal of which will be found not a little entertaining. It is said, and with apparent credibility, that Gow and his father were natives of Scrabster, near Thurso, and that the latter had gone with his family to Stromness to reside. *Gow*, which is a Gaelic word for *Smith*, is not an Orkney name: whereas there have long been severals, and there are still some, of the surname of Gow in Scrabster, and they have admitted that Gow the pirate was their relation.

In the year 1728, the mysterious affair happened regarding Margaret M'Gilbert, the reputed witch, which occasioned much noise and speculation in the north. The author will give it as he had it from an old man, Alexander Johnston, who was one of the party that brought her

from Oust, where she resided, to Thurso. Hugh Montgomery, who lived at Burnside, near Thurso, and was in the practice of brewing and selling ale, came to town with a human leg in his hand, and having presented it to the magistrates, told them, that after he had on several occasions found that quantities of his ale, when working, had been stolen, he watched all night, armed with a drawn sword, in order to detect the thieves; that in course of the night a number of cats entered at an opening in the thatched roof made for admitting light and air. They made for the barrels, and began to drink the ale, upon which he arose to have at them: but they all disappeared immediately by the aperture at which they had entered, only he fetched a stroke at the hindmost cat, and cut off her leg, which he instantly found to be that of a woman. The story, of course, at that time, received full credit; and a report having circulated that Margaret M'Gilbert, who had long been reputed a witch, was confined to bed, a party was dispatched from Thurso accompanied by Montgomery, to examine her. When they arrived at her house, about four miles from town, they found her in bed; and Johnston said, he never could forget the horrid visage she put on when she saw Montgomery. The party having raised the bed-clothes, found that she actually wanted a leg, and that the one produced by Montgomery answered to the description of the other. She was immediately carried to Thurso and put in prison. A precognition was taken of the whole affair, the sum of which was to the above effect. The proceedings were long in possession of the late Bailie George Paterson, as he told the author, but they have disappeared. She died in consequence of cruel and inhuman treatment she received from some of the inhabitants.

Pennant, vol. 1. p. 189, after giving an imperfect account of this matter, adds, "The horrors of the tale were considerably abated in the place I heard it, by an unlucky inquiry made by one in company, viz. In what part would the old woman have suffered, had the man cut off the cat's tail?" But both the inquiry itself, and the question, whether

or not it was witty, might have been suspended, until it was first ascertained *that such cats had tails.*

Writers are not agreed, and seem to be difficulted as to the causes why the great body of the Highlanders and so many others rose in the last rebellion in favour of the pretender Charles Stuart. It has been alleged by some, that the indignation generally felt by Scotland at the conduct of government regarding the affair of Captain Porteous operated as a cause. But this appears to be without any foundation: for it is most probable that few, if any, of those who were afterwards concerned in the rebellion, were accessory to the slaughter of Porteous. He was condemned to die as a murderer, and the general voice of the nation declared the sentence to be just: nor does there seem to be any reason to doubt that his execution was achieved by those who were friendly to the protestant interest; and which is not a little confirmed by the circumstances of Argyle and his friends: Though he of all others suffered most trouble and obloquy regarding the business of Porteous, his successor and clan were prime leaders in opposing the rebellion. Others, with no better evidence, have said that the breach of faith with the highland regiment was a cause. That regiment was raised soon after the former rebellion, and consisted of independent companies, intended chiefly to suppress rebellion, robberies, and other disorders, in the highlands especially, and consequently their being sent abroad, could be no matter of displeasure to the rebellious and disorderly, but rather the contrary. It is true that Scotland felt indignant at the treatment they received, as it involved a breach of faith with the kingdom at large, and was of a piece with other treatments it had experienced from England: but at the same time, the great majority of Scotland were not so infatuated as to seek to exchange the government they were under, with all its faults and evils, for a popish dynasty. But the true causes appear to have been, the unfair and harsh measures pursued towards the highlanders after the revolution; the little pains taken to gain their favour, or to emancipate them from the trammels of popery; together with the intrigues of France, which, by throwing a fire-brand of rebel-

lion into Britain, would compel her to recall her army from the continent. Before entering upon any description of the rebellion, towards the suppression of which the Mackays acted their part, a few thoughts regarding this brave regiment will not be deemed improper.

It was composed of the choicest young men of families who were respectable and of approven loyalty, and of the protestant religion, who volunteered their services, on the faith of a pledge being given them that they should not be sent out of Britain; and there was not either then or since, any regiment to be compared to it. It was called, "the Highland Watch," and some times the *Black Watch,* i. e. *Frectan Dow,* from their wearing their native garb. While they continued in independent companies, they were commanded by the Earl of Crawford; and when embodied, Lord Semple was their colonel, and Sir Robert Munro of Fowlis Lieutenant-colonel. In 1743, when war broke out between Great Britain and France, government regretting to want the services of such a superior body of men; and Scotland being held in small repute at the time, from the supercilious pride of England, the affair of Porteous, and other causes, it was resolved that the regiment should be sent to Flanders. They were previously brought to England, and upon their refusing to go abroad, were surrounded by six English regiments; three of the men were shot to death, and a few were banished to the plantations, as a terror to the rest.

Notwithstanding the perfidious and severe measures taken with the Highland Watch, (since the 42d regiment) they afterwards gained immortal honour by their puissance and bravery on various occasions. The author of the Life of Colonel Gardiner writes, "The behaviour of Sir Robert Munro and his regiment, at the battle of Fontenoy, was heard through all Britain. He had obtained leave of his Royal Highness the Duke of Cumberland, to allow them their own way of fighting. They were early in the field, and were ordered to attack the main battery of the French from the village from which the battle derives its name; which they did, and drove the enemy from it; but finding the body of the French forces deeply entrenched behind the

battery, they did not give over the charge, but bravely drew up to attack them. Sir Robert, according to the usage of his countrymen, ordered the whole regiment to clap to the ground, on receiving the French fire; and as soon as it was discharged, to spring up, and march close to the enemy, when they were to pour in their fire upon them, and then retreat, drawing up in order. This mode of attack they accordingly repeated several times, driving the French back with great slaughter on their own lines. Sir Robert was every where with his regiment, notwithstanding his great corpulency; and when in the trenches, his men were always obliged to raise him up. And it is to be observed, that when he commanded the whole regiment to clap to the ground, he himself alone, with the colours behind him, stood upright, receiving the whole fire of the enemy; because, as he said, though he could easily lie down, his great bulk would not suffer him to rise so quickly. His preservation that day was the surprise and astonishment, not only of the whole army, but of all that heard the particulars of the action." "It is likewise mentioned, that on the retreat of our army, Sir Robert Munro's highland regiment was placed in the rear, and a great body of the French horse being ordered to pursue, Sir Robert made his regiment face about, and gave them a general fire, so effectual that a great number of them being brought to the ground, the rest wheeled about, and rode off.*

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* One who said he was an eye witness, told the author's father as follows: "The Highland regiment was ordered to silence a French battery which was annoying the allied army; they immediately drove away the French, and spiked their cannon; but on their retiring, they were surrounded by three regiments of French cavalry; upon which, their colonel, Sir Robert Munro, called to them: '*Now my lads, mind the honour of your country!*' which was no sooner uttered, said the narrator, than the men assumed such a lion-like aspect, that it made him thrill whenever he thought of it. They cut their way through the enemy, but suffered severely in the action. He even went so far as to say, that some horses' heads were struck off by their *claymores*. It is reported of them, that the people in Flanders, when allowed a protection for their goods, chose the Highlanders for the purpose, in preference to all other British soldiers; and they were always found faithful to their trust; seldom was one of them seen drunk, and as rarely was any of them heard swearing.

The Mackay regiment, which had existed in Holland under that name since it was commanded by General Mackay, was at this battle of Fontenoy. Colonel Donald Mackay, who then commanded it, was killed. After General Mackay, the regiment was commanded by Brigadier-general Æneas Mackay, his nephew, and after him by his son, this Donald.

The greater part of the Highlands had still been addicted to popery; and nonjurant episcopacy retained a considerable footing in Scotland; both of which were almost equally attached to the family of Stuart, and inimical to the revolution settlement, and government of the two Georges. Popery had long since disappeared in Ross, Sutherland, Caithness, and the Reay country; but many of the Caithness gentry, and some in Ross, continued their adherence to episcopacy, for a long period after the year 1745, though it has within the last fifty years gradually died away. The presbyterians, both of the establishment and dissenters, were firm supporters of government. The principal body of dissenting presbyterians at that time were the seceders, all of whom to a man, testified their aversion to the rebellion.*

In order to prevent the bad consequences which a sudden alarm might occasion, and to enable him the better to ascertain who were his friends, the prince landed at Moidart with, it is said, only seven attendants, five of whom were Irishmen, one a Frenchman. and one an Italian.† He

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* While the rebels were in possession of Edinburgh, Mr Gib, who was then seceder minister there, met with his congregation about three miles westward; and, on the first occasion of his doing so, he addressed his hearers as follows: "Our not assembling in our ordinary place, appears warranted in point of duty: that thus we may give an open testimony, proof, and document, that we are resolved, through the Lord's grace, to come to no terms with the enemy that has power in the city; but to look on them as enemies, shewing ourselves to be none of their confederacy. In our public capacity, it is fit that we make even a voluntary removal from the place where they are, as from the seat of robbers, shewing ourselves resolved, that their seat shall not be ours."—*Gib's Display.* This removal was altogether voluntary, for the rebels offered no insult or disturbance to any worshipping assembly.

† In the year 1788, as the author thinks, he fell in with an old man, Donald Macdonald, then a mendicant, who had lived at Kinloch-Moidart when the *pruince gan-orstanach,*

was soon joined by the Macdonalds, the Stewarts, the Camerons, &c. Having arrived at Perth in the month of September, he was joined by the Duke of Perth, Lord George Murray brother of the Duke of Athole, Lord Nairn, and others, with their followers; the Earl of Cromarty and most of the Mackenzies came under his banner; together with Lord Lovat and his vassals. On the other side were the Duke of Argyle with the whole of the Campbells; the Earl of Sutherland, the Forbeses, Mackays, Munros, Grants, &c. Duncan Forbes, president of the college of justice, exerted himself with great effect, to restrain the spirit of the rebellion, particularly in the north of Scotland; and by whose influence, it is affirmed, Sir Alexander Macdonald, and the laird of Macleod supported the royal cause. But he was not so successful with regard to Lovat, as may be seen by his answer to the president's letter, admonishing him of his danger in countenancing the rebellion.* As the progress of the re-

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i. e. *unfortunate prince,* as he termed him, had arrived. Among many anecdotes, some of which are now forgot, he mentioned, that when Prince Charles landed, he, Macdonald, posted to the forest and shot a deer, the venison of which was laid before the prince at his first dinner in Scotland. Macdonald was with the rebel forces in almost all their battles and skirmishes, and lastly at Culloden, which he could not speak of without sighing deeply, and sometimes shedding tears. He spoke frequently, and with pathos, of a Gillis Macbean who was killed at Culloden: he was head and shoulders above the Highland army; and would, he said, but for the *fouder's luaidh,* i. e. *powder and lead,* cut his way through a host. Soon after the battle, Macdonald's whole goods, consisting among others of 40 milk cows, were seized, and carried off or destroyed by the king's troops, which plunged him from affluence into indigence, from which he never could recover himself. He retained marks of having been a stout powerful man; and bore a respectable, and sort of independent port, notwithstanding of his poverty. He confidently asserted, that for three years after the battle, the appearance of two armies was frequently seen in the night time, on the field of Culloden, and Gillis Macbean heard calling out with a tremendous voice, *Dioler! Dioler!* i. e. *Revenge! Revenge!* This, at any rate, shews the confidence the Highlanders had placed in their Goliah; and the feelings they had retained long after the rebellion was quelled. Poor Macdonald's rosary, in place of beads was composed of straw joints, which he devoutly told over when repeating his pater nosters.

Beauford Castle, 30th October 1745.

* "My dear Lord,—I received the honour of your letter late last night, and I own I never received one like it since I was born, and give your lordship a thousand thanks for the kind freedom you use with me in it; for I see by it my misfortune in having an ob-

bels, and relative affairs in the south, have been published by many, it may suffice here only to mention a few occurrences in the north, that

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stinate and stubborn son, and an ungrateful kindred: my family must go to destruction, and I must lose my life in my old age. This usage looks rather like a Turkish and Persian government than a British. Am I, my lord, the first father that has had an unnatural son? or am I the first man that has made an estate, and saw it destroyed in his own time, by the mad and foolish acting of an unnatural son, who prefers his own extravagant fancies to the solid advice of an affectionate old father? I have seen instances of this in my own time, but I never heard till now that the foolishness of a son would take away the life of a father that lived peaceably, and was an honest man, and was well inclined to the rest of mankind: but I find the longer a man lives the more wonders and extraordinary things he sees. Now, my lord, I beg leave to tell you my mind freely in my turn. I thank my God I was born with very little fear in my greatest difficulties and dangers by sea and land, and by God's assistance I often saved my life by the firmness and steadfastness of my resolution: and now that I have but little remains of a life that is clogged with infirmities and pain, yet by God's help I am resolved to preserve it as long as I can; and though my son should go away with the younger people of his clan, yet I will have six hundred brave Frasers at home, many of them about my own age, that will lose the last drop of their blood to preserve my person; and I do assure your lordship, if I am attacked, I'll sell my life as dear as I can; for, since I am as peaceable a subject as any in the kingdom, and ready to pay the king's taxes, and do every thing else a faithful subject ought to do, I know no law nor reason my person should not be in safety. I did use, and will use, the strongest arguments my reason can suggest to me, by my cousin Gertuleg, that he may repeat to my son; and if they should not prevail, is it any ways just or equitable that I should suffer for the faults of my son? Now, my dear lord, as to the unhappy civil war that occasions my misfortunes, and in which almost the whole kingdom is involved, on one side or other, I humbly think that men should be moderate on both sides, since it is morally impossible to know the event; for thousands, nay ten thousands, on both sides, are positive their own party will carry; and I suppose this venturous youth be defeat utterly, and the government should carry all in triumph, no man can think that any king on the throne would destroy so many ancient good families for engaging in a cause that was always their principle, and what they thought their duty to support. King William was a great king, as to his knowledge in government and politics as sat for many hundred years upon the throne of England: when his general, who was one of the best of England, was defeated, and forced to return to save his life, and all his army routed at Killicranky by a handful of Highlanders, not full 2000 in number, King William was so far from desiring to extirpate them, that he sent the Earl of Breadalbane with L.2500 Sterling, and sought no other conditions but that they should live peaceably at home; so, my lord, we cannot imagine that though the Highlanders should be defeat at this time, and most of them killed, and the government full masters of them, that any administration would be so cruel as to endeavour to extirpate the whole remains of the Highlanders: besides, it would be a dangerous enterprise, that nei-

are not so generally known, and to correct some mistakes regarding others.

Together with the influence which French politics had in fomenting the rebellion, and the attachment which the jacobites and papists entertained for the Stuart race of kings, the followers of Charles appear to have been seized with an unaccountable mania in his favour, and a degree of feeling against the presbyterians, which can scarcely be reconciled with natural principles. The former may be seen from the fascinating infection that attended his progress through Scotland from his first landing, whereby so many were led to put their all at stake, when there was so little rational prospect of success, and even against their own more deliberate purposes; besides that a kind of sympathetic feeling towards him, was kindled in the breasts of many who were unfriendly to his cause: which feeling must have been very ardent when in its bloom, when so much of it still subsists, as appears in the history of the rebellion 1745 and 1746, lately published. And with regard to the latter, the chevalier Johnstone, if he can be supposed to express the sentiments of his party, calls the presbyterians, "The accursed race of Calvinists, which deserved the fate of Sodom and Gomorrah,—Hypocrites who cover over their crimes with the veil of religion, who have God constantly in their mouths, and hell in their hearts,—The holy rabble,—The refuse of the human race,—The vermin, and the monsters, whose brains he would blow out," &c. And yet he narrates some offices of great kindness done to him after his flight from Culloden, by one of this "*accursed race,*" at the risk of his own life,—one who was under no other obligation to him,

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ther we nor our children would see at end. I pray God you may never see such a scene in our country, as subjects killing and destroying fellow subjects. For my own part, my lord, I am resolved to live a peaceable subject in my own house, and do nothing against king or government; and if I am attacked, if it was the king's guards, and he captain-general at their head, I will defend myself as long as I have breath in me; and if I be killed, since it is not far from my burial place, I will have, after I am dead, what I always wished for, the coronachs of all the women in my country to convey my body to the grave; and that was my ambition when I was in the happiest situation in the world. I am, my lord, &c."

but that his wife had once served Johnstone's mother. What then might the presbyterians have expected, had Charles prevailed! and how thankful should they still be, that those who sought *to blow out their brains* were disappointed!

The men of Sutherland, the Mackays, Munros, and others, were in detached companies, under the command of the Earl of Loudon. They were stationed at Inverness and other places to the north of Spey, and preserved the peace in these countries, until the rebel army returned from the south. The Mackays were conducted by Captain George Mackay, son of Lord Reay, and father of the present lord. Many in Caithness had purposed to join the rebel standard; were at considerable pains to persuade others; and severals assumed the rank of captains, lieutenants, ensigns, &c. saluting each other by these titles; but a fear of being intercepted by the loyalists, prevented them from marching southward.

A sad calamity befel Charles by the want of a sum of money, some say L.13,000, others say above L.20,000, sent from France on board the Hazard sloop of war. She was discovered by the Sheerness man-of-war, who chased her through the Murray Frith, Pentland Frith, and along the north coast of Scotland, as far as Tongue. The Hazard finding that she could not escape, and buoyed up with the hope of meeting with nothing but friendship among the mountains which towered in view, purposely run aground on the sands of Melness, at the west side of Tongue bay. They all landed safely, being about 200 men; and fortune seemed to favour them so far at first, by leading them under the protection of William Mackay of Melness, who was thought rather favourable than otherwise to Charles, although he did not openly declare himself. The money was safely lodged in his house for the night, all contained in small boxes: and his son George engaged to do his best to conduct the strangers to Inverness, where the rebels were then stationed, after returning from the south. The late publication, above alluded to, which is abundantly minute, and refers to so many authorities with regard to other matters, discovers the most palpable ignorance as to this. The words are,

"After the Duke of Perth had surprised and dispersed Lord Loudon's

troops, some of them retired to what is called Lord Reay's country, a wild district, but recently emerged from the condition of a forest, at the very northern extremity of Scotland. They were there residing with Lord Reay when the crew of the Prince Charles* landed with their treasure near that nobleman's house. Lord Reay, on learning the fact of the disembarkment, sent a person with a boat to ascertain their numbers; and finding them not above his strength, drew out his men early next morning, and went in pursuit. He came up with them about two hours after day-break, (March 26), and, after they had given a few fires, succeeded in capturing the whole party, which consisted of twenty officers, and a hundred and twenty soldiers and sailors. His factor disposed of the treasure in a very remarkable way. Having persuaded those about him, that the boxes in which it was stowed contained only shot, he appropriated it to himself, and founded, by its means, what is now a very wealthy and respectable family."

The Reay country was little less in the condition of a forest at that time, than it was several centuries before; there was none of Loudon's troops then at Tongue; Lord Reay himself did not stir a foot after the Frenchmen, being then very old and unwieldy, above seventy years of age; his factor did not appropriate the treasure to himself, and his family are not now wealthy. The author has had access to good information as to these facts: for, besides other sources, he had it from his father, who then lived in the vicinity of Tongue, and was in his sixteenth year.

As soon as word came to Tongue that the Frenchmen had disembarked, expresses were sent through the country, to gather the men, and also to call a few of Lord Loudon's troops who were in the parish of Lairg, the nearest to the Reay country. Early next morning, the Frenchmen set forward, conducted by George Mackay younger of Melness. At the same time, Lord Reay's factor, Daniel Forbes, father of Major

* The Hazard had been previously seized by the rebels, who gave her the name of their prince.

Daniel Forbes, now in Kinloch, and eleven armed men, who were all he could then muster, set forward to intercept them. While the Frenchmen were advancing along the sands, Forbes, concealing his few men behind a hill, sent one to require them to surrender, and to declare, if they refused, that none of them should pass that mountain before them without being slain or taken. Having consulted together, they sent back word, that they would not surrender: upon which Forbes and his party fired on them; and while they were advancing towards the place from whence the fire was directed, the party run with speed beyond another hill, and repeated their fire; and while they thus continued for some time, killing some and wounding others, their number was gradually increasing; till at length two drums were heard from the lofty and steep pass of Duag, at the west shoulder of Ben-Lyall, the loud echos of which, from the hollows of the mountain, exceeded the noise of twenty drums: then the French lost all courage, and dispatched a messenger, to say they were ready to surrender. In the meantime, however, they broke the boxes containing the gold, with the butts of their muskets; threw the greater part of it into the little deep lake Hacon, and strewed some of it among the heather, pieces of which have been found for many years after. It has indeed been said, that Forbes took one box to himself, supposed to have contained L.1000; but he had sufficient means otherwise to support his establishment: he was Lord Reay's factor, and had the lucrative farm of Ribigill, and was afterward sheriff-substitute, first of the Reay district of Sutherland, and subsequently of Caithness. The French having laid down their arms, they were put on board the Sheerness. Forbes' party did not exceed a hundred men, about fifty of whom were of Lord Loudon's troops, and about the same number of the inhabitants. The French were exceedingly vexed with themselves that they had yielded to so few; but they could not at any rate have joined the rebels: for the country people from Durness and Edderachillis would have soon come up, and some of Loudon's troops were before them in Sutherland and Ross.

When the rebels had returned to Inverness, they captured some of Lou-

don's men, including a few of the Mackays, of whom George Mackay, the author's grand-uncle, was one; he was both powerful and agile, and, as a swordsman, had very few equals: he cut his way through a party who attempted to seize him, and so effected his escape. The rest were let go on parole, that they should not carry arms against the prince, which none of them did: but George returned to his comrades, and served with them to the last.*

Soon after Charles had arrived in Scotland, some hundreds of the rebels came to Caithness, in order to stimulate the inhabitants to engage in his quarrel. Their head quarters was in Thurso, where they billeted themselves, by twos, threes, or fours, on the inhabitants; and from thence they went in detached parties through the country. They were all armed, but very ill clothed, and wore white cockades in their bonnets. As has been said, many had promised their services, and in return severals were dubbed with military titles. Some of the recusants deposited their money under ground, and fled to the Orkney Islands, the Reay country, and Sutherland; and others hid themselves in subterraneous recesses; the women in general felt greatly alarmed, but their fears were causeless: for no violence or injury was offered to any; nor was any spoil committed by the Highlanders while they remained in the country. Alexander, Earl of Caithness, lived at Haymar, within a mile of Thurso Castle, the seat of George Sinclair of Ulbster, sheriff of the county. They were on rather unfriendly terms at the time, but both were strictly loyal, and gave no countenance to the rebels. The Highlanders, in order to foment their quarrel, or from some frolicsome motive, drove his lordship's cattle to the gate of Thurso Castle, and left them there: but

* George was subsequently in the first Sutherland Fencibles, and the regiment being stationed at Glasgow, an expert swordsman having defied them to turn out a man to fight him, George, whose abilities were well-known, was pitched upon to save the honour of his regiment. He accordingly undertook the combat, fought, and killed his antagonist. He always wore his *Andrea-ferrara* and Highland dress while he lived, any law to the contrary notwithstanding. He died at an advanced age, about the year 1786. He was usually termed *Shoris e claibh,* i. e. *George of the sword.* The author saw him often.

when the party had retired, they were sent back to Murkle from whence they had been taken.

Another mistake appears in the notes on chapter 4th. vol. 2d. of the late History of the Rebellion. It is said, "The Earl of Cromarty was taken prisoner, at Dunrobin castle, in Sutherlandshire, on the day before the battle of Culloden. He was leading forward his clan of Mackenzies, when a party of loyal militia which had been raised by the Earl of Sutherland, contrived to separate him from his party and make him their prisoner." The following is a more correct statement of that affair.

In the beginning of March 1746, the rebel army having approached to Inverness, Lord Loudon retired by Kessock ferry to Ross-shire. The Earl of Cromarty was sent north with a detachment against Loudon, and then to proceed to Caithness, where many were expected to join him. Cromarty was followed by Lord George Murray and the Duke of Perth, upon which Loudon retired to Dornoch. The Duke of Perth came to Dornoch, under a thick fog, and surprised a major and two hundred men, sixty of whom he made prisoners, and the rest escaped. Lord Loudon then separated his troops, and having left the men of Sutherland and a party of the Mackays in Sutherland, he himself, together with President Forbes, and the laird of Macleod, retired to the west coast, and embarked with 800 men to the Isle of Sky. Cromarty hearing of the advance of the Duke of Cumberland, resolved to give up his intended journey to Caithness, and to return to the assistance of his friends. When he was on his way north, the Mackays, who had been informed of his coming, resolved to intercept him at the little ferry, but he escaped them. The blame was laid on John Mackay of Clashneach, who was then a lieutenant. He was partial towards Cromarty; and being unwilling that he should fall into their hands, he contrived by a piece of policy, in which he was an adept, to amuse the officers in the night-time, until Cromarty was past them, and out of danger. Finding on his return that his way was beset, his followers having burnt the house of Crakag, Cromarty got himself secretly con-

veyed into the castle of Dunrobin, by connivance of the countess; but the Mackays having got notice of it, in order to atone for their former neglect, went thither and seized him; and after detaining him a short time, they put him on board a vessel, which carried him to London. He, together with the Earl of Kilmarnock, the Lords Lovat and Balmerino, were impeached of high treason, tried, and condemned: Cromarty was pardoned; but the other three were executed. The Earl of Sutherland was not a little displeased at the circumstances attending Cromarty's capture, most probably because it seemed to infer some suspicion of his loyalty, that such a rebel should find his castle a place of refuge; and perhaps, though truly loyal himself, he entertained a favour for Cromarty as his neighbour. Cromarty, it is said, obtained his pardon by means of the Earl of Sutherland. The latter was in such favour with the king, on account of the zeal he had manifested in his service, that he desired him to ask any boon he pleased and it should be granted. Sutherland being prevailed upon by his lady, asked a pardon to the Earl of Cromarty. The king was greatly offended: he said, however, since he had pledged his royal word, he would grant it: but, at the same time, he told Sutherland that he never should see his face more. The latter, overwhelmed with grief, departed immediately to France, where he died of melancholy. The king wrote, and put it on record in red letters, that the title of Cromarty never should be restored.*

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* *Speech of George Earl of Cromarty, on being asked why sentence of death should not pass against him.*

"My Lords,—I have now the misfortune to appear before your lordships guilty of an offence of such a nature as justly merits the highest indignation of his Majesty, your lordships, and the public, and so cannot presume to trouble your lordships with any defence. As I have committed treason, it is the last thing I would attempt to justify: my only plea shall be your lordships' compassion; my only refuge his Majesty's clemency. Under this heavy load of affliction, I have still the satisfaction, my lords, of hoping that my past conduct, before the breaking out of the rebellion, was irreproachable; as to my attachment to the present happy establishment, both in church and state, and in evidence of my affection to the government upon the breaking out of the rebellion, I appeal to the then commander-in-chief of his Majesty's forces at Inverness, and to the Lord President

It has been asserted that those of Lord Loudon's troops who were driven northward by the rebels, and could not effect a junction with the Duke of Cumberland, were entirely useless: but this assertion is incorrect: The contrary is the fact, that they were of more essential service to the duke than if they had been present with him. He was amply prepared, without them, to encounter the rebel army; while they on the other hand, prevented many more than their own number from joining them; such as the Mackenzies and others from the shires of Ross and Cromarty, and a great body from Caithness, besides some from Orkney, who would otherwise have gone forward: the want of whose assistance was a great discouragement, as well as loss to the rebels.*

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of the Court of Session in Scotland, who I am sure will do justice to my conduct upon the occasion: But, my lords, notwithstanding of my determined resolution in favour of the government, I was unhappily seduced from that loyalty in an unguarded moment, by the arts of desperate and designing men; and it is notorious, my lords, that no sooner did I awake from that delusion, than I felt a remorse for my departure from my duty; but it was too late.

"Nothing, my lords, remains but to throw myself, my life, and fortune, upon your lordships' compassion: but of these, as to myself, my lords, it is the least part of my suffering: I have involved an affectionate wife with an unborn infant as parties in my guilt, to share of its penalties:—I have involved my eldest son, whose youth and affection to his father hurried him down the stream of rebellion:—I have also involved eight children, who must, though innocent, feel their parent's punishment, before they can know his guilt; let these, my lords, be pleaders to his Majesty—let them be pleaders to your lordships—let them be pleaders to my country for mercy—let the powerful language of innocent nature supply my want of eloquence and persuasion—let me enjoy mercy, but no longer than I deserve it—and let me no longer enjoy life than I shall use it to deface the crimes I have been guilty of: Whilst I thus intercede to his Majesty through the mediation of your lordships for mercy—let my remorse for my guilt as a subject—let the sorrow of my heart as a husband—let the anguish I feel as a father, speak the rest of my misery. As your lordships are men, feel as men; but may none of you ever suffer the smallest part of my anguish.

"But if, after all, my lords, my safety shall be found inconsistent with that of the public, and that nothing but my blood can atone for my unhappy crime; if the sacrifice of my life, my fortune, and family is judged indispensibly necessary for stopping the loud demands of public justice, and if the bitter cup is not to pass from me, not mine, but thy will, O God! be done."

* "As the Duke of Cumberland advanced, our out-posts fell back upon Inverness. In

After the battle of Culloden, several highland chiefs, who could not come up in time, having joined the remains of the rebels at Ruthven of Badenoch, sent a message to the prince requesting him to return, and offering their services to attack the king's forces; but his reply was, "Let every man seek his safety in the best way he can." This was not unlike the conduct of James towards his friends, at the closing scene of the former rebellion.

The subsequent treatment which the poor Highlanders endured, either by the order or permission of the Duke of Cumberland, was inconsiderate, and excessively cruel; and must appear still more so when contrasted with General Mackay's conduct towards them at the revolution. Feudal maxims were then as much recognised, and as operative, in the highlands as at any former period; and government had hitherto rather encouraged than taken any measures to allay them, trusting to, or having in eye, merely the loyalty of the chief, which infallibly secured that of his people. The chief consequently, by the tacit consent of government, exercised a sort of military authority over his people, who were in a corresponding degree, not free agents, but bound to follow him, be the cause good or bad in which he was embarked. It was therefore even unjust to punish those vassals: but to dragoon and kill them in cold blood, burn their houses, destroy or carry away their property, &c. was merciless. The disarming and jurisdiction acts, erecting forts, and promoting education in the highlands, &c. had salutary effects: but those severities had none: such might exterminate, but could not methodize the Highlanders. This conduct was more like that of Spanish than of Scottish reformers. It appears that the Highlanders accused the Camp-

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the mean time, the prince had the mortification to learn, that the Earl of Cromarty, and his son Lord Macleod, having been surprised in the castle of the Countess of Sutherland, by a detachment commanded by Mr Mackay in the service of King George, had been made prisoners, and sent on board the hound sloop of war, to be transported to London. This misfortune deprived the Prince of the clan of Mackenzie, amounting to about five or six hundred men."—*Chevalier Johnstone,* P. 128.

bells as having instigated the Duke to sanction those violent proceedings :* but how far, or whether any of these accusations were applicable,

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* *Copy letter, Donald Cameron of Lochiel and Alexander M^c^Donald of Keppoch, to Invernakyle younger, dated Glenivase, 20th March* 1746.

"Yesternight we had a letter from Clunie younger, giving an account of the success of the party sent by his Royal Highness, under the command of Lord George Murray," (in surprising and taking the castle of Blair!) "a copy of which letter we thought proper to send you inclosed, as you happen for the present to be stationed contiguous to the Campbells. It is our special desire that you communicate to Airds, the sheriff, and other leading men amongst them, our sentiments, which, God willing, we are determined to execute, by transmitting this our letter and the copy inclosed to any convenient to you.

"It is our opinion that of all men in Scotland, the Campbells had the least reason of any to engage in the present war, against his R. H. interest, considering that they have always appeared in opposition to the royal family, since the reign of James the VI. and have been guilty of so many acts of rebellion and barbarity during that time, that no injured prince but would endeavour to resent it, when God was pleased to put the power in his hand: yet his present Majesty, and his Royal Highness the prince, are graciously pleased, by their respective declarations, to forgive all past miscarriages to the most violent and inveterate enemy, and even bury them in oblivion, provided they return to their allegiance; and though they should not appear personally in arms, in support of the royal cause, yet their standing neuter would entitle them to the good graces of their injured sovereign: but in spite of all the lenity and clemency that a prince could show or promise, the Campbells have only appeared in their wonted zeal for rebellion in a most officious manner: nor could we ever form a thought to ourselves that any man endued with reason and common sense could use their fellow-creatures with such inhumanity and barbarity as they do; and of which we have daily proofs by their burning of houses, stripping of women and children, and exposing of them to the open fields and severity of weather, burning of corn, and houghing of cattle, and killing of horses: to enumerate the whole would be too tedious at this time. They must naturally reflect that we cannot but look on such cruelties with horror and detestation, and with hearts full of revenge will certainly endeavour to make reprisals; and are determined to apply to his Royal Highness for leave and orders to enter their country, with full powers to act at discretion; and if we are lucky enough to obtain it, we shall shew them that we are not to make war against women and the brute creatures, but against men; and as God was pleased to put so many of their people in our custody, we hope to prevail with his Royal Highness to hang a Campbell for every house that shall be burnt by them. Notwithstanding of the many scandalous and malicious aspersions industriously contrived by our enemy against us, they could never hitherto, since the commencement of the war, impeach us with any act of hostility that had the least tendency to such cruelty as they exercise against us, though often we had it in our power, if barbarous enough to execute it. When courage fails against men, it is strange cowardice to a degree, to vent the spleen against women, children, brutes, and houses who cannot resist. We are not ignorant of their villanous intentions, by the intercepted letters from Airds,

any relative inquiry now can answer no good end. It is no doubt true, that an old feud had subsisted between the Campbells and several other clans, and that the concern which the former had, among other strong-hand measures, in the tragical affair of Glencoe, rendered that feud almost indelible in the breasts of the latter, which would lead them to magnify the faults of its objects.

Very little, if any thing of that kind, however, appears in the conduct of the Campbells, towards the far-famed Miss Flora MacDonald. That lady, after displaying the heroine in a high degree, by her actions with regard to Prince Charles, till she had him beyond the reach of all his pursuers, was apprehended, as being guilty of high treason; and for the greater security of her person, in order to prevent her escape, sent on board a war-ship, then lying in Horse-Shoe Bay, under the charge of General Campbell. For her better society and accommodation, the general sent Miss MacDonald ashore with an escort, and a letter, of which the following is a copy taken from the original.

"*Horse-Shoe Bay, August* 1, 1746.

"Dear Sir,

"I must desire the favour of you to forward my letters by an express to Inverary; and if any are left with you, let them be sent by the bearer. I shall stay here with Commodore Smith till Sunday morning, and if it is not inconvenient, should be glad to see you. If you can't come, I beg to know if you have any men now in garrison at your house, and how many; make my compliments to your lady, and tell her that I am obliged to desire the favour of her for some days to receive a very pretty young rebel; her zeal, and the persuasion of those

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the sheriff, &c. which plainly discover it was by their application that their general, Cumberland, granted orders for burning, &c. which he could not be answerable for to the British parliament, it being most certain that such barbarity could never be countenanced by any christian senate. We are, &c. DONALD CAMERON, ALEX. M'DONALD.

"P. S. I cannot omit taking notice, that my people have been the first to have felt the cowardly barbarity of my pretended Campbell friends: I shall only desire to live to have an opportunity of thanking them for it in the open field. Do: CAM."

who ought to have given her better advice, has drawn her into a most unhappy scrape, by assisting the young pretender to make his escape. I need say nothing further till we meet, only assure you, that I am, Dear Sir, your sincere friend and humble servant,

"I suppose you have heard of JOHN CAMPBELL."
Miss Flora M'Donald."

"*To Niel Campbell, Esq. captain of Dunstafnage.*"

The following is also copied from the original:

"Sir, "*Wednesday Evening.*

"You will deliver to the bearer John M'Leod, Miss Macdonald, to be conducted in his wherry; having no officer to send, it would be very proper you send one of your garrison alongst with her. I am, Sir,

Your most obedient, humble servant,

JOHN CAMPBELL."

"*To the captain of Dunstafnage.*"

This Lord Reay died in the year 1748. He had three wives, 1*st*, Margaret, daughter of General Hugh Mackay of Scoury, by whom he had a son Donald, who succeeded him; 2*dly*, Janet, daughter of John Sinclair of Ulbster, by whom he had Colonel Hugh Mackay of Bighouse; 3*dly*, Mary, daughter of John Doull, writer in Edinburgh;* issue by her, two sons, George Mackay of Skibo, father of the present Lord Reay; and Alexander Mackay, commander-in-chief in Scotland; and four daughters, 1*st*, Mary; 2*d*, Harriet; 3*d*, Christian, married to the Rev. Dr Erskine of Edinburgh; and 4*th*, Marion.

His lordship was a man of learning and abilities; he was fellow of the

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* Sasine dated 30th April 1719, in favour of "Dame Mary Doull, lawful daughter of John Doull, writer in Edinburgh," for a liferent of 2300 merks Scots, "in the lands of Ardbeg, Ardmore, Kenlochberry, Alshar-beg, Alshar-more, Cerrumainach, Sandwood, Kerwick, Keoldale, and salmon-fishing of the waters of Garruown (Inshard) and Durness."—*Register of Sasines for Sutherlandshire.*

royal society at London; he had in his youth travelled over several kingdoms on the continent of Europe, attended by a John Mackay, one of the Clan-Abrach, who had been educated along with him.* From the troubles and misfortunes in which the two former Lords Reay had been involved, his estate lay under many wadsets to branches of his own family, but by his skilful and prudent management, he discharged the far greater part of those burdens; he was zealous in promoting and encouraging piety, preserving order, adjusting differences, and inculcating lessons of prudence and frugality among his people, the good effects of which were conspicuous over all his country, as well as in his own family. It was said that all his undertakings were attended with success.† So exalted was his people's opinion of him, that it was a common, though hyperbolical saying among them, that had he got a renewal of his age, he would have placed a hoop round Scotland, himself holding both ends of it. He is to this day, by way of eminence, termed, *mhorer mhor*, i. e. *the great Lord.*

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* This John Mackay was a man of clear and solid understanding, and a considerable linguist, scholar, and poet. Lord Reay had him often with him, as his most intimate companion. It is said, that Lord Loudon having paid a visit to Lord Reay, he felt offended that John, who was plain, and rather indifferent with regard to his dress, was one of the company. After expressing his general satisfaction with all that he had seen, he took the liberty to mention his surprise that his lordship made a companion of that *coarse black man.* Reay, in reply, requested Loudon to take an opportunity of conversing with John, and then to give his opinion of him. Accordingly, Loudon and John, next day after breakfast, walked together on Tongue-Point, till Reay had sent repeated messages to them to come to dinner. Reay then asked Loudon what he now thought of *the coarse black man?* "*Why,*" said he, "*I think he would have been an acquisition to the British parliament.*"

† There is one exception at least to this general, namely, that his lordship executed an entail of his estate, which his grandson, the present Lord Reay, has got reduced.

Donald, fourth Lord Reay.

1748—1761.

THE spirit of feudalism and chivalry had subsided so much after the rebellion, in consequence of the abolition of the heritable jurisdictions, and other measures taken by government, that few or no occurrences obtained to afford materials for a narrative such as this is.

The favourite of the muse, the celebrated *Rob Don,* otherwise Robert Mackay, *the Durness bard,* had begun to tune his celtic reed in the late Lord Reay's time, and continued to flourish during that of the present, and for some years after. He was born and bred in a solitary corner of the Reay forest: or, as he himself describes it in the first lines of one of his songs,

Rugibh mis os e ghearibh,	I was born in the winter,
Measg na beantichin gruimach:	'Mongst the wild frowning mountains:
Be cid shollibh mo 'hoal	My first sight of the world,
Sneachd 's goadh ma mo chluasin.	Was the snow-drift around me.

To translate any of his songs in rhyme, with a tolerable degree of taste, seems impossible: and even a prose translation would enervate their spirit, and impair their natural beauty. It is unfavourable with regard to them, that they are local; and consequently, to appreciate them duly, it would be requisite to have some knowledge of the characters and circumstances to which they refer. But possessed of these and of the Gaelic language, one must allow that Rob Don has not many equals in song; and in so far as the Reay country is inferior in Gaelic to Lochaber, the odds falls to be placed to the bard's credit. He possessed a sound, acute, and discriminating judgment, a most retentive memory, ready and poignant wit, a fine fancy, and an excellent ear. Like his brother, Rob Burns, he was rather tacit, and shone little in a large company; but with a few he was most entertaining; and like him too, he was rather fond of

company and of the bottle, only he had this advantage, that his access to either was less frequent; he never learned to read, could understand a little, but not speak English.

> Had he been college bred, and had he been
> Where court and country, men and things, are seen;
> Or had his ample talents ample scope,
> Rob Don had ranked with Dryden or with Pope.

Durness might be termed *the land of song* in his time. "But O how fallen, how changed!"* He died about the year 1779. The author recollects having seen him at his father's in Thurso in 1777. Many of his songs have recently been published under the inspection of the Rev. Dr Mackay, author of the Gaelic Dictionary. A monument has also been erected to his memory, a description of which is given in the introduction to his songs.

Lord Reay's brother, Alexander, entered the army about the year

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* The following is composed to a plaintive highland air, to which he had made a song, by way of dialogue between himself and a maid who had come from Caithness to serve in the Highlands, contrasting both, he commending the highlands, and she the lowlands.

> The celtic muse sad and recluse,
> She heard the news and fled.
> Her bard, Rob Don, away is gone,
> And there is none instead:
> He was the best in all the west,
> A Highland breast to warm;
> And lend the hill, and glen, and rill,
> With peerless skill, a charm.
>
> In Bealach-horn, a clime forlorn,
> He spent his morning here;
> Unlearned and young began his song,
> Remote among the deer:
> But nature smiled upon her child
> In desert wild and bare:
> The cuckow gay envied his lay,
> And all the echos there.
>
> Anon his song was borne along
> By every tongue around;
> The shealing maid the music led,
> The glen and glade resound:
> The impulse fast like magic past
> O'er all the west domain;
> All ranks intent in concert sent
> The sweet enchanting strain.
>
> Whate'er his theme it well became
> The bard to frame his lay;
> His witty glee, or elegy,
> Alike came free away;
> His satire keen, devoid of spleen,
> Where vice was seen to move;
> But softer fell than nightingale,
> His tender tale of love.

1754. He served first in the 52d regiment, and afterwards in the 21st or Royal Scots Fusiliers, of which he was colonel. He was long stationed in America, and was always esteemed as a brave, judicious, and steady officer. He attained to the rank of lieutenant-general, and was appointed to the office of commander-in-chief in Scotland, which he held till his death, which happened on the 31st May 1789. In 1770 he married Margaret, daughter of Sir William Kerr of Etal in Northumberland, but had no issue; she died 7th November 1792. Alexander, son of James Mackay of Skerray was, at the same time, until his death, adjutant-general of Scotland; he also had risen to the rank of major-general of the army; and died of a mortification in his throat, occasioned by a fish bone having stuck in it, and which could not be got extracted.

About the year 1756, when the French, in their usual manner in time of war, were threatening to invade Great Britain, amongst others, William Earl of Sutherland, who had been a captain in the 25th regiment of foot, was permitted to raise a fencible regiment, of which he was colonel; Hugh Mackay of Bighouse was lieutenant-colonel; John Mackay of Strathy was a captain; and Donald Williamson (Mackay) of Banniskirk, James Mackay of Skerray, and Alexander Mackay, son of John Mackay formerly mentioned, were lieutenants. The regiment was disbanded in 1763, when peace was concluded. This William Earl of Sutherland, and his countess, died at Bath, in June 1766, both greatly lamented, leaving a daughter, the present Marchioness of Stafford, to succeed.* Rob Don composed a pathetic elegy to their memory. In the same year, 1766, Alexander Earl of Caithness, the last of the Mur-

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* It is said that a *sagart-ruadh*, or *red friar*, who lived at Durness some centuries ago, delivered many predictions, and that one of them, with regard to the Sutherland family, was,

When after John comes George, and after him comes John;
And after William comes William, after him comes none.

Another, with regard to the family of Mackay was, that their downfall should be occasioned by marriage alliance with Sutherland.

kil family, died. He left only one daughter, Lady Dorothea, who married the Earl of Fife. He was succeeded in the earldom by William Sinclair of Rattar: but he conveyed his lands to Sir John Sinclair of Stevenston, because Rattar had married Miss Sinclair of Scotscalder, in preference to his daughter; and that the latter had married Lord Fife against his will.

This Lord Reay was in a high degree a promoter of piety and good order in his country. He was very liberal to the poor, and always gave what first came to his hand without looking at it. A beggar having come up to him in Ross-shire, he happened to give him a five-shilling piece, which so surprised the receiver, that he requested to know who he was that had been so generous to him. "*Just a poor man*," replied his lordship, "*like yourself only having a little more of the world.*" Almost on all occasions, when he was from home, he ran short of money from his liberality; to provide against which, and if possible to make him more frugal, his lady furnished his principal servant with a supply, so as to *lend* his lordship, when necessity required. He never allowed any arrears of rent to be marked in his books. At "counting time," he attended himself, and to such of his tenants as were able but not fully prepared, he lent the deficiency; and to such as were poor, from unforeseen occurrences, he discharged the debt. At the same time, the people were so strict as to morals, that no advantage was offered to be taken of his generosity.

He married, 1*st*, in 1732, Marion, daughter of Sir Robert Dalrymple of North Berwick (by Joanna Hamilton, daughter and only child of John, master of Balgany) by whom he had two sons, George and Hugh: 2*dly*, Christian, daughter of . . . . . Sutherland of Pronsy, by whom he had a daughter, Mary, who married Major Edgar of the 15th regiment of foot. Lord Donald died in 1761, in hope of a blessed resurrection. He was succeeded by his eldest son,

George, fifth Lord Reay.

He was possessed of excellent parts and acquirements; was truly pious, exemplary, much beloved by all who knew him, and was exceeded by none of his predecessors in the affections of his people. He married, 1*st*, in 1757, his cousin-german, Marion, daughter of Colonel Hugh Mackay of Bighouse: she died at her first accouchement, and her child also; 2*dly*, in 1760, Elizabeth, daughter of Fairly of that ilk, an ancient family in Ayrshire, by whom he had a son, who died young; and two daughters, who are still living, Mariane, who married the late Colonel Fullarton of that ilk; and Georgina. His lordship died at Edinburgh in 1768, and was buried in the abbey church of Holyrood-house, where a stone bearing an inscription to his memory, is still to be seen. He was succeeded by his brother,

Hugh, sixth Lord Reay.

In his youth he made considerable progress in learning, and was a proficient in music: but after his brother's death, it was found necessary to apply to the Lords of Session to appoint him a tutor for the management of his estate. The first who was invested with that office was his uncle, Colonel Hugh Mackay of Bighouse; and after his death, George Mackay of Skibo, to whom General Mackay succeeded; after whose death, George Mackay of Bighouse, a gentleman of great worth and probity, was appointed tutor, who held the office till his lordship's death in 1797. From the death of the late Lord Reay, Lord Hugh lodged with James Mackay of Skerray, a gentleman who, from his singular and uniform correctness of habits and manners, was a credit to his name; and that correctness he retained to the end of his long life of

ninety-one years. He was sixty years married to a worthy, pious gentlewoman, Marion, daughter of Angus Mackay of Rhenevy.*

In the year 1769 and 1770 Caithness was much alarmed by a band of thieves, consisting of ten or twelve of the strongest men in the county. They resided in different parishes, but by carrying on a secret correspondence, they met at certain places for consultation, and effecting their mischievous purposes. They had broke into several shops and store-houses, and stolen considerable quantities of goods and meal. One John Swanson, nicknamed *Canny*, who lived in Thurso, returning from a country market along with several persons, happened to say, he could tell who had broke into the store-house of Murkle: which having been conveyed to some of the band, Swanson was artfully decoyed out of bed into their company. He was found dead next morning a little distance from town, having the mark of a joiner's hammer in his forehead. In order to cover the matter, the body was laid to an old stone fence, with the heels uppermost, and the forehead resting on a sharp stone, as if his death had happened by falling over the fence. A precognition was taken, but, though suspicions were strong, the murder could not be proven against any of those concerned.

These desperadoes had laid a plot to murder William Sinclair of Freswick, and seize on his money, a considerable quantity of which he was known to have in his repositories. This gentleman had got into a habit of lying in bed awake all night, during which, one of his numerous tenants alternately sat beside him. The murder and robbery were to be perpetrated on the night on which Donald Rugg, one of his tenants, who was of the band, was to sit up with him, of which night Rugg was to send previous notice to his accomplices. A few days before it came to Rugg's turn to attend his landlord, the latter having had occasion

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* Mr Mackay of Skerray had on all occasions an agreeable facetious humour; he survived his wife several years. When her remains were carried out for interment, he said, *It is sixty years since she first entered my house, and I never wished to see her leaving it till now.*

to send a bearer with a letter to Mr Henderson of Stempster on some business, Rugg sent a letter by the same bearer, addressed to John Swanson, joiner in Thurso, another of the band, to whom he was to deliver it. When he arrived at Stempster, as he could not read, he gave both letters to Mr Henderson, who, on being informed that the letter to Swanson had come from Rugg, both of whom were suspected to belong to the band, desired the bearer to return home, and that he would convey the other letter to Thurso by a runner he was sending there. He then broke open the letter, the import of which was, *that the black ox was to be killed on a certain night.* He sent the letter to Mr John Sinclair, sheriff-depute of the county, who was son of Mr Sinclair of Freswick, with a list of the suspected persons. Mr Sinclair immediately dispatched a party of twenty-four Highlanders from Dunbeath, who seized most of the band, some of whom afterwards turned evidence, by which and other means the plot was discovered. They were tried by a jury, and having been publicly whipt, were banished the county. Some of them had fled and escaped punishment.

Mr Sinclair's habit above mentioned, tended to persuade most of the community that he possessed what is called the *second sight;* and it appears that he rather encouraged them in their opinion, as it had considerable effect in preserving his goods from thieves. Pennant refers to this, vol. 1. p. 199. "Passed," says he, "near the seat of a gentleman not long deceased; the last who was believed to be possessed of the *second sight.* Originally he made use of the pretence, in order to render himself more respectable with his clan; but at length, in spite of fine abilities, was made a dupe to his own artifices, became possessed of a serious belief of the faculty, and for a considerable number of years before his death, was made truly unhappy by this strange opinion." Such remarks as these, however, obtained no credit with the most intelligent persons the author has heard on the subject. It is far more probable that a fear of having his house broke into, and his treasure robbed in the night-time, led Mr Sinclair into the habit. A similar report had got a wide circulation regarding Major Scobie of Melness. It took its rise

from an ingenious method he had adopted to discover some goods that had been stolen from him, the circumstances relative to which the author had from himself: and he added, that he never was at any trouble to convince the people that their opinion as to him was erroneous, as it tended to preserve his goods from thieves. Hugh Lord Reay died in the year 1797, and was succeeded by his cousin-german,

Eric, seventh Lord Reay.

Towards the close of the year 1794 and beginning of 1795, the Reay Fencible, or Mackay's regiment of Highlanders, was raised on the Reay and Bighouse estates. Having been embodied at Elgin, after remaining a short time at Fort-George, they proceeded to Ireland. They were stationed in the north at Belfast and its vicinity, for about two years and a half, until May 1798, when they left it for Cavan, carrying with them the highest commendations from the generals commanding brigades, and the universal respect and esteem of the inhabitants among whom they had so long resided. This distinguished regiment was commanded by Major-General Mackay Hugh Baillie, (grandson of Colonel Hugh Mackay of Bighouse); and in his absence, by Lieutenant-colonel George Mackay of Bighouse, who was singularly beloved and revered by all under him; but unhappily, in the beginning of the year 1798, he was seized with a fatal distemper, which obliged him to return to Scotland, and terminated his valuable life in the neighbourhood of Edinburgh. His memory was so dear to the officers and men, that they simultaneously agreed to advance four days pay each, towards erecting a monument to perpetuate it, and which stands in the burying-ground at Reay. After him the regiment was commanded successively by Major John Scobie of Melness, Lieutenant-colonel Ross, and Lieutenant-colonel Colin Campbell. Major Scobie, a respectable gentleman, had died soon after Lieutenant-colonel Mackay.

In May 1798, the rebellion in Ireland had assumed a formidable aspect. The rebels had assembled in great force in the neighbourhood and southward of Dublin; and the plan they had formed, as was afterwards ascertained, was to proceed towards the north, where they expected a general rising in arms against government, and then to return, and join with others whom they had hopes of from the south and west, to make one general attack on Dublin; after which they should carry all before them throughout the kingdom. While this body of the rebels, consisting of some thousands, were on their way northward, a regiment of militia were dispatched from Dublin in pursuit of them, who having come in sight, and seen their far superior number, thought it most prudent to retire until they were joined by additional forces. The event discovered that that service was destined for the Mackays, so as to afford them an opportunity of exhibiting their valour.

The author had the following account in writing, from an intelligent person, who had held a respectable station in the regiment, and was present at the battle of Tarah-hill.

The Reay Highlanders, when setting out on their march from Cavan towards Dublin, had no intention of attempting any thing against the rebels, unless they were attacked. The first division arrived at the metropolis without any impediment; but a part of their baggage and ammunition happening to be some space too far in their front, a party of the rebels who had been watching their movements, came upon the guard by a cross road, slaughtered some of them, took the rest prisoners, and carried away the baggage.* The report of this disaster having soon reached the rear division, their Highland fire was instantly kindled, and they were resolved, if possible, to retrieve the honour of their regiment, which they considered as tarnished, or to die in the attempt.

The rear division consisted of five companies, three of whom, led by Captains Blanch and Maclean, and accompanied by some yeomanry ca-

* Hugh Mackay, cousin-german of the author, was killed there: a sober, pious young man.

valry, were ordered by Major Scobie to march in pursuit of the rebels, the other two companies to remain behind with the regimental baggage, colours, &c. In testimony of their fervour on receiving the order, the men gave three cheers, and then set forward with alacrity to execute it. Having arrived at Dunshachlan, where they expected some refreshment, they were quite disappointed, for the rebels had completely pillaged the town the day preceding, killed severals of the principal protestants who had attempted to defend themselves, and dragged the rest of the men into their ranks. It was soon discovered that the rebels had gone north beyond them by a circuitous direction; upon which the Mackays, under all their privations and fatigue, wheeled about and followed them, being now apprehensive that they might intercept the two companies who were on their march in their rear. Having retraced their way four or five miles at least, they came in sight of the rebels, encamped on an eminence called Tarah-hill,* and employed at the time cooking and eating their victuals, who no sooner discovered this very small body of troops advancing, than they dispatched a strong party in a circular course to attack their rear. The Reays resolutely marched forward towards the hill, by a narrow road, between two rows of hedging, having a six-pounder in front, and their right flank and rear covered with their cavalry. The firing commenced at half-past six in the evening, and continued without intermission till sunset. The battle was hottest on the brow of the hill, where, from overwhelming numbers, higher ground, old walls, &c. the rebels possessed every advantage. But nothing could resist the resolute courage and bravery of the Highlanders, determined as they were to despise all odds, and surmount all difficulties, even though, from the circumstances in which they were placed, their ranks were soon broken. The rebel party who had been sent to attack their rear, had now speedily come forward on the same road by which the Mackays had advanced to the attack, and were in a thick body close up to them: but the cannon, which had fallen to the rear, was quickly turned about when they were almost

* Here the Irish held their national assemblies in old times.

at its muzzle, and being accidentally double charged, was let fly amongst them with a most destructive effect, clearing the road so effectually, that the survivors immediately fled in all directions. Soon thereafter the valiant Highlanders having irresistably fought their way to the top of the hill, they furiously fell upon the rebels, brought them down in crowds, dispersed and pursued them on every side; and during the chase, the cavalry, though raw and undisciplined, did considerable execution. No less than five hundred of the rebels were reported to have been next morning found dead, amongst whom was their commander, in full uniforms; and, what was next to a miracle, the killed of the Reays did not amount to thirty, only that a considerable number were wounded. The spoil which they took from the rebels, though, as might be supposed, it was not much, recompensed in part the loss of the baggage which the enemy had seized; and they recovered the prisoners whom they had taken along with it. This battle was fought on the 26th May 1798.

This splendid and memorable victory was of incalculable importance, not only in itself, but more particularly in its consequences, as it both dispirited the rebels, by convincing them that they could not stand before such troops; and it completely deranged their plans which they were so high in hopes of being able to accomplish. On their march to Dublin next day, the Reays met the troops which were sent to pursue the rebels, who finding that the service allotted to them had been performed, immmediately returned. It is impossible to express the joy which pervaded every protestant and loyal breast on receiving the news of this signal and gallant victory. When the Mackays arrived at the capital, there was no occasion to furnish them with billets; for the gates and doors of all the principal inhabitants were thrown open to admit them.

The Reays, after enjoying a short repose in Dublin, marched to Maynooth; and afterwards formed a principal part of the advance army under Lieutenant-general Lake, who led them across the kingdom towards Castlebar and Killaloe, where the French, under General Humbest, had previously landed; and, by forced marehes, pursued the ene-

my in all their transverse and circuitous movements, until at last they overtook, fought, and subdued them at Balnamuck in the centre of Ireland; Lord Cornwallis being at the same time with the main army on the opposite side of them. A party of the Reays guarded the French prisoners to Dublin.

The Mackay regiment were afterwards successively quartered in Athlone, Longford, and Galway. The former place would remind them of the gallant and notable scion of the race, General Hugh Mackay. They uniformly maintained the character of being one of the best, and most esteemed corps in his Majesty's service; of which a great many authentic testimonies by the military and civil authorities in Ireland, where they served till the year 1802, are in the author's possession. In that year they returned to Scotland, and were disbanded at Stirling, when the testimonial, a copy of which may be seen in a foot note, was issued by General Baillie their colonel, and inserted in the regimental orderly book.*

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* *Stirling Castle, 26th September* 1802. His Majesty having issued his instructions for disbanding the Reay Fencible Highlanders in consequence of a general reduction of the fencible regiments throughout the kingdom; Major-general Baillie embraces with eagerness an opportunity of expressing his highest approbation of the uniform good conduct of the regiment since it was embodied. The major-general reflects with pride and satisfaction on the many opportunities that occurred to evince the loyalty, good discipline, distinguished gallantry, and persevering attention of all ranks to the good of the service. The many testimonials to this effect by the general officers under whom they served at a most critical conjuncture in Ireland, furnishes the most flattering and unequivocal proofs of their merits as British soldiers, and are circumstances that must prove a perpetual source of the most gratifying reflection to every individual that composed it. The unremitting zeal of the officers in advancing and perfecting the regiment in discipline, united to the exemplary spirit of harmony that so happily subsisted amongst them, during the whole period of their service, tending so essentially to confirm and secure the principle of subordination, claims the major-general's most sincere and warm acknowledgements; and it is under the most pleasant sensations that he now pays them the tribute of his respect, esteem, and attachment. The major-general desires his thanks to be conveyed to the non-commissioned officers and privates, for the disposition to good order, and soldier-like conduct, they have ever manifested, and which has been so evident from the many encomiums bestowed on their general behaviour, on the service on which they were lately employed. Major-general Baillie repeats his acknowledgements to the whole corps in-

One who may be thought less partial, writes thus: "Captain Preston, commanding the Navan cavalry, having been informed that the Reay fencibles were to be in Navan on the night of the 25th of May, on their route to Dublin, resolved to join them, in hopes of being able to obtain their co-operation in attacking next day the rebels, whom he had reconnoitered in great force at Dunshachlan; and they having complied, and all the yeomanry in the adjacent country having joined them, they proceeded at break-of-day, on the morning of the 26th of May, from Navan to attack the enemy at Dunshachlan.

"On their arrival there, they found that the rebels had changed their position, and as they could not learn whither they had gone, the Reay fencibles set out for Dublin, and the yeomanry determined to retire to their respective homes, which would have been fatal to the whole country, as the rebels would have spread universal desolation.

"He then followed the Reay fencibles, who had proceeded two miles on their march, and informed the commanding officer that he would engage to find out the rebels in two hours, on which he consented to return, and gave him two hundred and ten men, and a battalion gun, the whole commanded by Captain Blanch, and they were joined by the yeomen commanded by Lord Fingal and Captain Preston.

"After going some time in quest of the rebels, they found them very strongly posted on Tara-hill, where they had been about four hours, and were about 4000 in number; and the country people were flocking to them in great numbers from every quarter. They plundered the houses in all the adjacent country of provisions of every kind, and were proceeding to cook their victuals, having lighted near forty fires. They hoisted white flags in their camp. The hill of Tara is very steep, and the upper part is surrounded by three circular Danish forts, with ramparts and fosses; and on the top lies the church-yard, surround-

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dividually and collectively, for the general respectability they have at all times and on all occasions maintained: with an anxious wish that they may speedily reap the fruits of so meritorious services, by the full and permanent enjoyment of all the comforts of a private life, now so justly become their due."

ed with a wall, which the rebels regarded as their citadel, and considered as impregnable.

"The king's troops, including the yeoman, might have amounted to about 400. As soon as the rebels perceived them, they put their hats on the top of their pikes, sent forth some dreadful yells, and at the same time began to jump, and put themselves in various singular attitudes, as if bidding defiance to their adversaries. They then began to advance, firing at the same time, but in an irregular manner.

"Our line of infantry advanced with the greatest coolness, and did not fire a shot till they were within fifty yards of them. One part of the cavalry, commanded by Lord Fingal, were ordered to the right, the other to the left, to prevent our line from being out-flanked, which they endeavoured to accomplish. The rebels made three desperate onsets, and in the last laid hold of the cannon; but the officer who commanded the gun, having laid the match to it, before they could completely surround it prostrated ten or twelve of the assailants, and dispersed the remainder. The Reay fencibles preserved their line, and fired with as much coolness as if they had been exercising on a field day. They at length routed the rebels, who fled in all directions, after having lost about four hundred in killed and wounded. In their pockets were found popish prayer-books, beads, rosaries, crucifixes, pious ejaculations to our Saviour and the Virgin Mary, and republican songs, and scapulars on the bodies of many of them.

"It was much to be lamented, that the brave Reay fencibles lost twenty-six men in killed and wounded; and the Upper-Kells infantry had one killed and five wounded.

"The prisoners informed the officers that their intention was to have proceeded that night to plunder Naven, and then Kells, where there was a great quantity of ammunition, and little or no force to protect it; and that when they had succeeded, they expected, according to a preconcerted plan, to have been joined by a great number from Meath, Westmeath, Louth, Monaghan, and Cavan, and to have released all the prisoners confined in Trim, where they would not have met with any

opposition. So general an insurrection might have been fatal to the kingdom: for the rebellion in Wexford and Kildare was raging with inextinguishable fury: It was still destructive in Wicklow and Carlow, and the mass of the people, in many parts of Leinster and Munster, were on the point of rising."*

While the Reay fencibles were in Ireland, General Lake had his own guard formed of them; and so much was he attached to the regiment, that he seldom passed any guard or post where they were on duty, without alighting from his horse, going among them, and holding conversation with them. At the defeat of Castlebar he frequently exclaimed, *If I had my brave and honest Reays here, this would not have happened.*†

Thus far regarding the Mackays. They were called from Ireland, above six centuries before, by William the Lyon, to assist in expelling the Danes from the north of Scotland; during the subsequent ages of chivalry, and conflicting of countries and clans, they were eminently serviceable, and even the principal instruments in preserving a balance of power among the heads of great families to the north of the Grampian mountains, and consequently of preventing the degree of local tyranny, and danger to the kingdom at large, which otherwise would unavoidably have ensued; they always defeated the designs of their most powerful neighbours against themselves, where open force was attempted, although they have been circumvented and injured by fraud; they were at all periods loyal to their princes, and on all occasions ready to render them their best services, and suffered their greatest losses through their loyalty; losses which have not been repaired to them, and from which they have never been able to emancipate themselves; notwithstanding of their local disadvantages, they produced heroes and warriors equal to

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* Memoirs of the Irish Rebellion, by Sir Richard Musgrave, baronet.

† General Stewart's sketches.

A widow woman in Strathmore of Durness had seven sons in the Reay fencibles, all tall, stout, powerful men.

any in their time, and some of whom were an honour and of great benefit to their nation, and whose fame will be co-existent with the annals of Europe; and lastly, they bravely assisted in saving that kingdom from whence they had originally sprung, when it was in danger of being deluged with blood by a most formidable rebellion, aided by France; and there exhibited evident and remarkable proofs that they were still Mackays, the genuine sons of their valiant and trust-worthy ancestors.

GENEALOGY

OF

THE STOCK AND PRINCIPAL BRANCHES

OF THE

CLAN MACKAY.

ALL accounts (excepting that of Sir Robert Gordon) agree that Alexander, son of O'Connachar, an Irish prince or nobleman, was the first of the clan; and the prevailing and most probable opinion is, that he came with a company of warriors to assist William the Lyon, King of Scotland, in expelling the Danes from Caithness and other parts of the north, where they had long intruded themselves. Alexander was succeeded by his son Walter, and he by his son Martin, who was slain in Lochaber, from whom, it is supposed, the Mackies, M'Ghies, and M'Cries* of Galloway, and Ireland, and Mackays of Argyle, are descended. Martin was succeeded by his son Magnus who left two sons, 1*st*, Morgan his successor, of whom the Morgan and Morganach Mackays are sprung; and, 2*nd*, Farquhar, ancestor of the Farquhar Mackays. Morgan was succeeded by his son Donald, who married a daughter of Iye M'Niel of Ghiga, by whom he had a son named Iye, after his father-in-law; Iye, who succeeded his father, had a son, Donald, his successor, who, it is said, was the first bearing

* Among the special retours for Wigtonshire, the following is inserted: "27*th July* 1699. Patrick M'Crie or Mackie of Achland, heir of Patrick M'Crie or Mackie his father, in ten merkland of Achland, comprehending wood and hills, with the mill of Achland.—1 merkland of Achbreddan, of old extent, in the parish of Wigton.—190."

the name of *Mackay*, or *son of Iye*. This Donald had three sons, Angus, who succeeded him, and Hugh and Niel who fought the bloody battle of Tuttim-Tarwagh. Angus married a daughter of Macleod of Lewis, by whom he had two sons; 1*st*, Angus-Dow his successor, termed *En Imprissi*, or *the absolute*; and "*a leader of* 4000," the most potent in his time to the north of the Grampians; and 2*nd*, Roderick-Gald, or *Lowland*, who was killed in the battle fought by his brother and him near Dingwall, against Donald Lord of the Isles and Earl of Ross. Niel, the son of Donald, had three sons, 1*st*, Thomas Mackay of Spinnidale, Creigh, Pulrossie, &c. who was ancestor of the Shil-Thomas Mackays; 2*nd*, Morgan; and 3*d*, Niel. This Niel had three sons, 1*st*, Angus, of whom the Slighd-Angus Mackays descended; 2*nd*, John Bain or Fair, ancestor of the Bains or Baynes of Caithness, Ross, &c.; 3*d*, Paul, ancestor of the Shil-Phaul or Macphauls, and Polsons. The branches, Shil-Thomas, Shil-Niel, Slighd-Angus, and Shil-Phaul, multiplied chiefly in Sutherland. Angus-Dow Mackay married a daughter of Donald Lord of the Isles and Earl of Ross. He had four sons, the names of two of whom only are known, viz. Niel-Bass, and John-Abrach.

THE CLAN-ABRACH BRANCH OF MACKAYS.

John-Abrach Mackay of Achness, Breachat, &c. son of Angus-Dow, married 1*st*, a daughter of Mackintosh of Mackintosh, by whom he had two sons, William-Dow, who succeeded him, and John; and 2*nd*, a daughter of Hector Mackenzie of Garloch, brother of the laird of Kentail, by whom he had a son Hector. William-Dow Mackay married a daughter of Hugh Ross, brother of the laird of Balnagown; issue, three sons, John, Murdoch, and Angus. John, who succeeded to his father's property, left an only son, William, who married a daughter of Thomas Murray of Tullibardin; issue four sons, John, his successor, Alexander, Murdoch, and Niel. John married a daughter of Donald Mackay of Strathnaver, (see page 121.) by whom he had an only son Niel, who in the foregoing work is termed Niel-Mack-Ean-Mack-William. This Niel Mackay of Achness, the chieftain, married a daughter of Hector Munro of Contalich; issue four sons, Murdoch, Robert, Niel, and William. Murdoch of Achness, the chieftain, married Christian, daughter of Donald Mackay of Scowry, (*vide* p. 178-9.) by whom he had three sons, John, Robert, and Niel; and a daughter, Ann, who married Niel Campbell of Achnalick. This John, the eldest son, married Christian, daughter of the Rev. Alexander Munro, minister of

Durness, by whom he had an only son, the Rev. William Mackay, minister of Dornoch, who married Jane, daughter of John Dunbar, bailie of Elgin, by whom he had three sons, John, George, and Hugh; John and Hugh died unmarried: George, who was sheriff-depute of Murray, married a daughter of David Sutherland of Kinstorrie, but left no issue.

Robert of Achness, the second son of Murdoch of Achness, married Isabella, daughter of the Rev. Hugh Munro, minister of Durness; issue, four sons, Murdoch, Alexander, John, and William; and three daughters, Barbara, Janet, and Christian; this Christian married Hugh, third son of John Mackay of Skerray, *(see the Skerray branch of the Strathy family)*. Murdoch, the eldest son, married Jane, daughter of Captain William Mackay of Borley; issue a son, Donald, of whose issue, if he had any, there is no account. Alexander, the second son of Robert of Achness, married Margaret, daughter of Andrew Fearn of Pitcallion, mentioned p. 385; issue three sons, Angus, Robert, and the Rev. William, minister of Tongue; and a daughter Barbara: she married the Rev. George Brodie, minister of Edderachillis: issue, besides other children, three daughters, the eldest of whom married the Rev. Alexander Oliphant, minister of Bower; issue. The second married William Gordon of Langdale; issue. The youngest daughter, Christian, married John Mackay of Auldanrinie; issue two sons, Lieutenant Alexander of Duardbeg, and Angus, now in Glasgow, and several daughters, the eldest of whom, Ann, married George Morison of Laxford, who was drowned off Holburnhead in September 1788, greatly lamented by all who knew him; Lieutenant Alexander married a daughter of Mr Alexander Falconer, minister of Edderachillis, (by his wife, sister of the late M'Intosh of Dunchattan); issue, besides other children, the Rev. Dr M'Intosh Mackay, minister of Laggan, and Lieutenant Alexander Mackay in Aberdeen.

Robert, second son of Alexander, second son of Robert of Achness, had four sons, Robert, Angus in Kinloch, merchant in Glasgow, William in Tubeg, and George in Halmdary; and a daughter married to Robert Mackay in Clibrig. Angus in Kinloch had three sons, the Rev. Hugh, minister of Moy, Robert and Angus, both in Orkney; and two daughters, one of whom married Robert Mackay, who possessed the family colours; and the other married Angus Macleod in Carnachy, to whom she had Donald Macleod of the commissariat, who now lives in Whitefield near Thurso.

John, (the third son of Robert, second son of Murdoch of Achness), who has been in the foregoing work referred to as a linguist and scholar, had three sons, 1*st*, the Rev. George, minister of Edderachillis, who died without issue; 2*nd*, John, who was father of William in Knockfin, who had two sons, George, merchant in Edinburgh,

who died without issue, and John, who was drowned in the river of Helmsdale, much regretted; and, 3*d*, Lieutenant Alexander of the old Sutherland fencibles.

William (the fourth son of Robert, second son of Murdoch of Achness) had a son Hugh, who, by his wife, Ann Mackay, had a son William, who married Christian Mackay of the Kinloch family, and by her had Robert Mackay, the author of this history, and Ann, wife of George Levach, merchant, in Thurso. This Robert, the author, married Barbara,* daughter of Alexander Campbell in Thurso: issue thirteen children, the eldest of whom was Captain William of the 3d regiment of foot, who, on the 30th December 1824, married Jane, youngest daughter of John Hutchison of Cairngall in Buchan; he died in Bombay 20th May 1827, leaving an infant son, Robert, of that marriage. The author's daughter, Hannah, married the Rev. James Cairncoss, minister in Birsay: issue.

William, the son of Niel Mackay of Achness, the chieftain, was father of Niel, who was killed in Thurso, (p. 333). This Niel had four sons, Niel, Donald, Robert, and John; Robert was twice married; he had by his first wife two sons, Niel, a powerful man, who possessed the colours, and William. Niel had a son, Robert, who had three sons, and a daughter, Ann: 1*st*, Hugh, who now possesses the colours; 2*nd*, William, who had a son, Robert, in Achintoul, who left a son, William, now living; and, 3*dly*, Angus, who lives in Hamer, near Thurso. The daughter, Ann, by her marriage with Robert Gordon in Corrihuran, was mother of Robert Gordon of Achness, father of Barbara Gordon, third wife of James Anderson, lately merchant in Rispond, and several other respectable children. Donald, second son of Niel, killed in Thurso, married Christian, daughter of Iye Mackay of Golval.

Robert of Moudale, son of Niel slain in Thurso, married, 2*ndly*, Elizabeth, daughter of Captain William Mackay of Borley, and widow of Charles Mackay of Sandwood, by whom he had two sons, John of Moudale, and William of Tubeg. This John of Moudale married a daughter of Donald Mackay of Skerray, by whom he had two sons and four daughters. The sons were, 1*st*, Major Donald Mackay of Eriboll, a chieftain-like gentleman, who married Bessie, daughter of the late James Mackay of Skerray, by whom he had a daughter, Barbara, who, by her marriage with Captain Mackay John Scobie, late of Keoldale, is mother of six children, the eldest of

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* Her paternal grandfather, William Campbell of Ausdale, who lived to the age of 84, had, in his own time, nineteen children, ninety-eight grandchildren, and thirty-three great-grandchildren. Her only brother now living is the Hon. Sir William Campbell, chief justice of Upper Canada.

whom is Captain Donald Mackay Scobie of the East India Company's service; and 2*dly*, Lieutenant William, who died ere his prime, unmarried, and greatly lamented: The daughters were married; the eldest to Hugh Mackay in Kylestrome; the next to George Morison in Strathmore, chief forester to Lord Reay; the third to Robert Innes in Portchamil; and the fourth to James Duncan in Moudale.

William of Tubeg had three sons, Robert in Clibrig, above mentioned; William and George both in Achoul. Robert in Clibrig had three sons, Captain Hugh, Lieutenant William, and Thomas, who all died without issue; and a daughter, Janet, who by her marriage with Hector, chieftain of the clan-Gun, was mother of George Gun the present chieftain, factor on the estate of Sutherland: He led the men of Sutherland to Edinburgh, and appeared on their head, when King George IV. visited Scotland; by that marriage Janet was also mother of Christian Gun, who married Lieutenant John Duncan of Garty, son of James before mentioned; William in Achoul had a daughter married to the late Rev. John Robertson, minister of Kingussie, to whom she had children. George in Achoul had children, two of whom are Robert Mackay of Kilmote, and Captain Donald Mackay, Marybank near Tain.*

THE PRINCIPAL BRANCH CONTINUED.

NIEL Bass Mackay married a daughter of the laird of Fowlis, by whom he had three sons, 1*st*, Angus, who succeeded him; 2*nd*, John Roy, ancestor of the Slighd-Ean-Roy Mackays, whose progeny cannot be traced; the 3*d* son was ancestor of the Mackays of Fife, who have for most part been termed Mackie. Angus married a daughter of Mackenzie of Kintail, ancestor of Lord Seaforth, by whom he had three sons, John-Reavach, Iye-Roy, and Niel-Naverach. Angus was succeeded by John-Reavach, who, having died without issue, was succeeded by his brother Iye-Roy. Iye-Roy was twice married, (*see* p. 99), and had two sons, and two daughters. His sons were, 1*st*, John, who succeeded him, and died without lawful male issue; and, 2*nd*, Donald, who succeeded his brother. One of his daughters married Angus Macleod, baron of Assint; and the other married Alexander Sutherland, heir of the estate and earldom of Sutherland, (*see* pp. 99—105). John had two daughters, one of whom married Hugh Murray of Shiberscross, and the other married Gilbert Murray of Pulrossie. Donald was twice married, (*see* p. 121).

* Considerable information has been afforded regarding this branch, by a manuscript in possession of John Mackay of Rockfield. Esq.

He had a son, Iye, who succeeded him; and two daughters, one of whom married John Mackay of Achness, chieftain of the clan-Abrach; and the other, Florence, married Niel Macleod, fifth baron of Assint. Iye Mackay was twice married; 1*st*, to his cousin, a daughter of Hugh Macleod, baron of Assint, by whom he had two sons, Donald Mackay of Scowry, and John-Beg; he married, 2*ndly*, Christian, daughter of William Sinclair of Dun, by whom he had two sons, Hugh, who succeeded him, and William, ancestor of the family of Bighouse; and three daughters, 1*st*, Ellenora, who married Donald-Bane Macleod, baron of Assint; the 2*nd* married Alexander Sutherland of Berridale; and the 3*d* married Alexander, chieftain of the clan-Gun.

THE SCOWRY BRANCH OF MACKAYS.

Donald Mackay of Scowry and Eriboll, eldest son of Iye Mackay of Farr, by his first wife, daughter of Hugh Macleod of Assint, was born about 1550; he married Euphemia, daughter of Hugh Munro of Assint in Ross, brother-german of the laird of Fowlis, by whom he had three sons, Hugh, Donald, and William; and four daughters, Margaret, Janet, Christian, and Ann. Margaret married Alexander Sutherland of Kilphedder, great-grandson of Alexander the heir of Sutherland; Janet married William Mackay of Carnachy; Christian married Murdoch Mackay of Achness, as stated under the clan-Abrach branch; and Ann married John Tarrel of Strathfleet; Hugh, who succeeded his father, and was by the Scots parliament appointed colonel of the Reay-countrymen, married a daughter of James Corbet of Rheims, by whom he had five sons, William, Hector, Hugh, James, and Roderick; and three daughters, Barbara, married to John, Lord Reay; Elizabeth, married to Hugh Munro of Eriboll; and Ann married to the Hon. Captain William Mackay of Kinloch; William and Hector were murdered, (pp. 365-6) both unmarried.

Hugh Mackay, who was worthily termed *the great general, (see* p. 484), to whom the succession belonged, married Clara de Bie of Bommel in Guelderland,* by whom he had a son, Hugh,† and three daughters, Margaret, Anna-Barbara, and Mary. Hugh, who was major of his father's regiment, died at Cambray in 1708, aged about 28, leaving by his marriage with Anna de Lancy two sons, Hugh and Gabriel, and a daughter, Clara-Margaret. Hugh died at Breda in 1775, a lieutenant-general in the Dutch

* This Clara de Bie had theee sisters, Jacoba de Bie, Anna de Bie, and Josina de Bie, of whom mention will be made in the Holland branch of Mackays.

† 18*th September* 1704. Captain Hugh M'Kay of Scowry was served, at Edinburgh, heir general to his father, Lieutenant-general Hugh M'Kay of Scowry.—*Chancery Record.*

service, and colonel of the Mackay Dutch regiment, leaving by his marriage with Isabella de Favinia, an only daughter, who married Lieutenant-general Prevost of the British service, who, upon the death of his father-in-law without male issue, obtained the king's license to bear the name and arms of Mackay of Scowry, in addition to those of Prevost, which his descendants in Holland still bear: Gabriel, who was Lieutenant-colonel of the Mackay regiment, died without issue. Margaret, the eldest daughter of General Hugh of Scowry, married George, third Lord Reay; his second daughter, Anna-Barbara, married Mr Reyerd, minister of Numeguen; and the third daughter, Mary, married Matthew Linyindeck, burgomaster of Numeguen: both of whom died without issue. General Prevost Mackay left two daughters of his marriage above-mentioned; the eldest of whom, Constantia, married Major Cornebie of a Walloon regiment, and had issue. Clara-Margaret, daughter of Major Hugh, married Baron Ren Duyck, one of the nobles of Guelderland, and left issue, a son, James-Charles Ren Duyck, who married Louise, Baroness Nuvenherm; and a daughter, Anna, married to Major-general J. W. Vanderhup, both living at Numeguen: issue.

James Mackay, fourth son of Colonel Hugh of Scowry, was Lieutenant-colonel of his brother the general's regiment, and was killed at the battle of Killicranky, unmarried. Roderick, the youngest son, died in the East Indies, unmarried.

William Mackay, third son of Donald of Scowry, was Lieutenant-colonel in the service of Gustavus Adolphus, and was killed at the battle of Lutzen in 1632, unmarried.

Donald Mackay of Borley, second son of Donald of Scowry, married a daughter of the Rev. Robert Munro, minister and laird of Creich, his uncle, brother-german of the laird of Fowlis, by whom he had four sons, Captain William of Borley, Angus, Major Iye, and Donald. (Page 367.)

Captain William Mackay of Borley,* married a daughter of Corbet of Arboll in Ross: issue three sons, 1*st*, Captain Hugh of Scowry; 2*nd*, Donald, a member of the Darien council, who was lost at sea, unmarried; and, 3*d*, the Rev. John Mackay, minister, first of Durness, and afterwards of Lairg; and five daughters, 1*st*, Elizabeth, who married, 1*st*, the Honourable Charles Mackay of Sandwood; 2*dly*,

* It has been stated, p. 519, that Captain William of Borley does not appear to have laid claim to the lands of Scowry; but, by a more minute search, the author has since discovered a sasine in his favour, in the lands and tiends of Scowry, Easter and Wester Tarbet, Foindall, Gisgill, &c. dated 18th May 1675, proceeding on a charter of confirmation granted to him by John, Lord Reay, to which General Hugh Mackay, the nearest heir, who was in Holland at the time, stated no objection; or very probably knew nothing of the transactions. The lands of Eriboll, and the islands Choery and Hoan, are not included in this sasine.

Robert Mackay of Moudale; and 3*dly*, John Gray of Rhine; 2*d*, Barbara, who married Hector Mackay of Skerray; 3*d*, Christian, married to Hugh Munro of Achanny; 4*th*, Isobel, married to John Mackay of Melness; and 5*th*, Jane, married to Murdoch, eldest son of Robert Mackay of Achness. Captain William led a company of the Mackays at the battle of Worcester on the side of Charles II. He died in 1703, aged 74.

Captain Hugh Mackay of Scowry married, 1*st*, in 1687, Anna, daughter of Lord Reay, no male issue; 2*d*, Jane, daughter and heiress of Patrick Dunbar of Cyderhall, issue eight sons and two daughters; four of the sons were, Patrick, William, John of Tordarrach, and Angus. Patrick sold the estate of Cyderhall,* and in the year 1732, emigrated along with William and others of his brethren to Georgia, in company with General Oglethorp, where they settled, but left no issue, it is believed, except William, who left an only child, a daughter, who married a gentleman of the name of Gordon, to whom she had three sons and a daughter; the sons were, 1*st*, Alexander, major of the 2d West India regiment, who left an only daughter, married to Captain Matchet of the Suffolk militia; 2*d*, George, major of the 2d regiment of foot; 3*d*, Hugh-Mackay Gordon, a lieutenant-general in the army, colonel of the 16th regiment of foot, and lieutenant-governor of Jersey, who died in 1823; both he and Major George died without issue: their sister, Miss Gordon, married Rupert Mackay of Jamaica, son of Robert, tutor of Farr. John of Tordarrach married a daughter of Gray of Skibo; issue, two sons, George and Hugh, the former a captain in the 60th regiment, who, by his wife, Mrs Mary Houston, had two sons. Robert and Hugh, both of whom died without issue; and the other son, Hugh, died in India unmarried.

The Rev. John Mackay, youngest son of Captain William of Borley, married Catharine, eldest daughter of John Mackay of Kirtomy: issue two sons, the Rev. Thomas Mackay minister of Lairg, and John, who died young; and three daughters, Elizabeth, Janet, and Barbara, of whom afterwards.

The Rev. Thomas Mackay of Lairg, in 1758, married Margaret, daughter of John Montgomery, grand-daughter of John, younger brother of Fearn of Tarlogie, and great-grand-daughter of James Mackay of Kirtomy, by Jane, third daughter of the Honourable Sir James Fraser of Brae: issue, three sons, John, Hugh, and William; and two daughters, Catharine, and Harriet. The eldest son John Mackay, now of

* Sasine (in June 1719) in favour of Captain Hugh Mackay of Scowry, Jane Dunbar his wife, and Patrick Mackay, their eldest son, on a charter granted by the Earl of Sutherland, of the lands of Siddera, &c.—*Register of Sasines for Sutherlandshire.*

Rockfield, late one of the clerks to the Right Honourable the Commissioners for the affairs of India, (which situation he resigned from loss of sight,) is representative in the male line of the Scowry branch of the Reay family; he married Isabella, youngest daughter of John Gordon of Carrol. Hugh was a captain in the Madras native cavalry, and agent for draught and carriage cattle to the Indian army of General Wellesly, now the illustrious Duke of Wellington; he fell in the bloody battle of Asseye, at the muzzle of the enemy's guns, and in the moment of victory.* William, was commander of a merchant ship, and esteemed

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* Of this very gallant and distinguished officer, the following notice has appeared in a work lately published, entitled, "Twelve years of military adventure, &c." where, after the account of the battle of Asseye, the author says, "among the slain I cannot help particularising Captain Mackay of the 4th native cavalry, commissary of cattle to the army. He had previously asked permission of the general to head his squadron in case of an action, and had been positively refused. Instead, however, of remaining with the baggage, as others similarly situated did, by a noble act of disobedience, he risked his commission, and lost his life." Anxious to ascertain the truth of this statement, the author of this work applied to Mr Mackay of Rockfield, the only surviving brother of Captain Mackay: and this gentleman having resolved to go at once to the fountain head, addressed a letter to the illustrious Duke himself, to whom he had, some years before, the honour of being known as Captain Mackay's brother, inclosing a copy of the above paragraph, and requesting that his Grace would have the goodness to inform him how far it was correct, and also that he would grant permission to insert in this publication whatever he might be pleased to say. The answer of his Grace was sent by return of post, and the author feels great pleasure in giving place to it.

"Sir, "*London, June* 21, 1829.

"I have had the honour of receiving your letter of the 18th instant.—I had a great respect and regard for your brother Captain Mackay of the 4th native cavalry on the establishment of Fort St. George, and I perfectly recollect the occasion on which he fell gallantly in the service of his country.

"I have not read the work to which you refer, nor do I recollect the circumstances referred to in the extract from it which you have sent me.—In general I object to officers employed in the civil or military departments of the army quitting their charge at a critical moment in order to engage in action with the enemy; but my memory does not enable me to say whether I did or did not state those objections to Captain Mackay's joining his regiment.—I rather believe that I did not know he had joined till he was actually engaged, or indeed till I heard that he was killed.—I have the honour to be, Sir, your most obedient, humble servant,

(Signed) "Wellington."

Addressed, "*To John Mackay, Esq., &c*"

Though this letter leaves one part of the statement contained in the "Twelve years of military adventure," unsolved, yet it bears such honourable testimony to the merits of Captain Mackay, and even places the character of the great captain of the age himself in a point of view so amiable, that it must gratify every reader of taste and feeling. But there is another matter, which if possible even exceeds this, as involving an act of prompt and substantial kindness, in circumstances so peculiar that it would be injustice alike to both were it suppressed. It has been communicated to the author in Mr Mackay of Rockfield's letter, and shall be given in his own words, which are these: "In June 1815, my brother having been then nearly twelve years in his grave, I presumed so far on the Duke's remembrance of his public services, and personal attachment to his Grace, as to request a commission in the army for a nephew of mine who had chosen that profession, when a commission was not easily to be obtained. I reckoned that my letter would find the Duke at Brussels; but before it reached his Grace, he had just made his triumphant entry into Paris, after the battle of Waterloo. Will it be believed, that at a period so awfully momentous, when the affairs of the civilized world seemed suspended as it were on his move-

one of the most skilful navigators of his day in the Indian seas; he was one of the few survivors from the shipwreck of the Juno, on the coast of Arracan in 1795, of which he published an affecting narrative. In 1801, he made a voyage up the Red Sea, with stores for General Baird's Egyptian army, and, by superior seamanship, not only saved his own, but, under Providence, was instrumental in saving several other ships of the fleet, particularly the Real-Fidelissimo, with Colonel Ford, and a detachment of the 86th regiment. Mr Thomas Mackay's eldest daughter, Catherine, married Captain Donald Matheson of Shinness; issue, three sons, Duncan, James, and Thomas; and six daughters, Margaret, Elizabeth, Harriot, Williamina, Joanna, and Isabella. Duncan is an advocate at the Scotch bar, a sheriff-substitute of Edinburgh-shire, and judge-depute of the High Court of Admiralty of Scotland for Leith; he married Annabella, (lately deceased) second daughter of Thomas Farquharson Esq. of Howden, and has issue. James is a merchant at Canton; and Thomas a captain in the Royal Welsh Fuziliers. Margaret married John Matheson of Attadale, and has issue. Harriet married the Rev. Alexander Macpherson, minister of Golspy, and died, leaving one daughter. Harriet, youngest daughter of Mr Thomas Mackay, married the Rev. George Gordon, minister of Loth: issue, three sons, the Rev. Charles, minister of Assint; Lieutenant John of the Madras infantry; Thomas, deceased; and two daughters, Margaret and Isabella, the latter deceased.

Elizabeth, eldest daughter of the Rev. John Mackay of Lairg, married the Rev. Angus Sage, minister of Lochcarron; issue, a son, the Rev. Alexander Sage, minister of Kildonan, father of the Rev. Donald Sage, now minister of Resolis. The Rev. Angus Sage had also of his marriage with this Elizabeth, two daughters, one of whom

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ments, he could find time to answer my letter, or even to think of so humble an individual? What must be the grasp of that man's mind whom nothing escapes from the greatest to the least; and who, whether at the head of a victorious army, or dictating to his secretaries in his cabinet, is always cool, always self-possessed, forgets no duty, leaves none unperformed! And what must be the warmth of that heart, which neither time nor distance abates, and which prefers the demands of a deceased humble friend to those, more recent too, of living claimants of superior rank! By return of post I received a favourable answer from his aid-de-camp, (Sir Ulysses de Burgh) and in a very few weeks afterwards my nephew was gazetted, without purchase, in the Royal Welsh Fuziliers, one of the finest and most distinguished regiments in the service, and then consisting of only one battalion, which secured him against reduction after the peace.

"I dare not trust my feelings to speak of my deceased most valuable brother, but one fact speaks more than volumes that I could say in his praise, because it shows the esteem in which he was held by his brother officers, and generally by the army with which he served, viz. That a public monument has been erected to his memory on the spot where he fell, which has been noticed by various travellers, and remains to this day. The regard in which he was held by his family is commemorated by a monument in the church yard of Lairg, his native parish. I am, &c. (Signed) JOHN MACKAY."

married Captain Charles Gordon of Clerkhill; issue John Gordon, of Swenzie; Captain William Gordon, of Clerkhill, now in Aberdeen; Captain George Gordon late of Skelpick; and two daughters, Mrs Kenneth Todd of London, and Fairly, who was second wife of James Anderson merchant in Rispond: issue, Major John in India, Lieutenant Thomas in Stromness, and Major Joseph; and a daughter, Fairly, married to in Banff-shire; the other daughter of Mr Angus Sage married Donald Kennedy of : issue, besides other children, the Rev. Angus Kennedy, minister of Dornoch. The Rev. John Mackay's third daughter, Barbara, married the Rev. George Munro, minister of Farr, who left no male issue; and the second daughter, Janet, married John Polson of Navidale: issue, besides three daughters, three sons, 1*st*, Captain William of the Virginia Rangers, killed in 1755; 2*d*, Major John of the 92d regiment; and 3*d*, Hugh, provost-marshal of the island of Jamaica; this Hugh Polson left two sons, 1*st*, William-Gray, barrister-at-law; and 2*d*, the Rev. John-Hugh, a prebendary of Exeter, and rector of Upton Helions, Devon. Barbara Polson, one of Janet's daughters, married Robert Gordon of Achness, and had issue; another of them, Williamina, married the Rev. Alexander Urquhart of Rogart; issue, besides others, George, who succeeded his father, and Joanna, the youngest daughter, who married the Rev. James Campbell minister of Kildonan.

Angus, second son of Donald Mackay of Borley, married Christian, daughter of Angus Mackay of Kindside; issue, besides Hugh and John, who died without issue, William, who was a lieutenant in one of the companies of Mackays who served under Lord Loudon in 1745. He was twice married; by his first wife he had Dr John Mackay of Falside, and by his second, he had George Mackay, collector of excise in Greenock, now residing at Stewart-hall in Bute. Dr John married Margaret, daughter of Polson of Rogart, and grand-daughter of the Honourable Charles Mackay of Sandwood: issue, a son, William, and two daughters. William married Jane, daughter of Kenneth Scobie of Achimore; issue, several sons, with whom he emigrated to Prince Edward's island, about twenty years since. Dr John's eldest daughter married Hugh Mackay of Dalangdale, but had no issue; and his youngest daughter, Jane, married Robert Mackay of the clan-Abrach branch: issue, an only daughter, Euphemia, now married to Peter Smith, merchant in Glasgow, and has issue, in life, Robert-Mackay Smith, George-Mackay Smith, Jane-Mackay Smith, Euphemia-Mackay Smith, Peter, Isabella, and Elizabeth.

THE BIGHOUSE BRANCH OF MACKAYS.

William Mackay, the first of this branch, as mentioned, p. 142, youngest son of Iye Mackay of Far, by his second wife, Christian Sinclair, married Isabella, daughter of Roderick Mackenzie of Redcastle; issue, three sons, 1*st*, Angus, who succeeded him; 2*d*, Iye Mackay of Golval; and, 3*d*, Donald; and two daughters, 1*st*, Ann, who married Adam Gordon of Kilcalmkill: issue, besides other children, Captain William Gordon who commanded the garrison placed in Strathnaver in 1649, (page 326); and 2*d*, Marian. Iye Mackay of Golval married Margaret, daughter of John Gordon of Cyderhall: issue, the Rev. William Mackay, minister of Rogart; Angus, who married Mary, daughter of Walter Innes of Skaill; Christian, who married Donald Mackay, second son of Niel who was killed in Thurso, (page 333); and Isabella, who married Donald, son of Hugh Forbes of Achintoft.* The Rev. William Mackay succeeded his father in the lands of Golval, but they afterwards fell to the family of Bighouse.

Angus Mackay of Bighouse married, 1*st*, Jane Elphinston, neice of Lord Elphinston, and cousin-german of the Countess of Sutherland; issue, William, who succeeded him; and Angus whose progeny are not known; 2*d*, Jane, daughter of Sir Alexander Gordon of Navidale, brother-german of the sixth John Earl of Sutherland, but had no issue of that marriage.

This second William Mackay of Bighouse married Jane, daughter of John Mackay of Dirlet;† issue, four sons, 1*st*, John, who died unmarried; 2*nd*, Angus, who succeeded him; 3*d*, Donald, who died without issue; 4*th*, William; and a daughter who married Gun of Braemore.

This second Angus of Bighouse married Jane, daughter of Patrick Sinclair of Ulbster; issue two sons, 1*st*, Joseph, who married Helen, daughter of General Sir

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* The marriage-contracts of Iye Mackay, Angus Mackay, Donald Mackay, and Donald Forbes are all recorded in the Caithness sheriff-court books.

† It is stated, page 329, that the second William of Bighouse married Jane, daughter of Donald, first Lord Reay. This appears in some manuscripts: but other accounts which seem more entitled to credit, bear, that this Jane was daughter of John Mackay of Dirlet.

1*st January* 1663. Bond by Jean Mackay, wife of William Mackay of Bighouse and John Mackay her eldest lawful son, to Donald Campbell merchant in Thurso, for L.223 Scots.—*Caithness Sheriff-court Records.*

It will appear by the following, that William of Bighouse was then alive, and for several year safter. 16*th December* 1668. Agreement by William Mackay of Bighouse, and Angus Mackay younger thereof, to deliver to John Burn, merchant in Thurso, the salmon taken on the water of Halladale for two years at the rate of L.14, 13s. 4d. Scots per barrel or terce.—*Ib.*

George Munro of Culrain, but died without issue; 2*nd*, George, who succeeded him, and three daughters, 1*st*, Rachel, who married John Munro of Eriboll; 2*nd*, Elizabeth, who married George Mackay of Kinloch; and Ann, who married Alexander Fraser of Strath.

George Mackay of Bighouse married Catherine, daughter of William Ross of Kindace: issue a son, Hugh, who died young, unmarried; and two daughters, Elizabeth, who married the honourable Colonel Hugh Mackay, second son of George Lord Reay; and 2*nd*, Janet, who married William Mackay of Melness. In consequence of certain transactions, the estate came to Elizabeth the eldest sister, and her husband.

The honourable Colonel Hugh Mackay of Bighouse had, by his wife Elizabeth, a son Captain Hugh, who died unmarried; and three daughters, 1*st*, Janet, who married Colin Campbell of Glenure; 2*nd*, Mary, married to William Baillie of Rosshall; and 3*d*, Marian, married to her cousin-german, George, fifth Lord Reay. The eldest daughter, Janet, had by her marriage three daughters, 1*st*, Elizabeth, who died young unmarried; 2*nd*, Louisa, who married George Mackay of Handa, afterwards Colonel George Mackay of Bighouse; and 3*d*, Colina, of whom afterwards. By some family arrangements, the estate became the property of Louisa and her husband.

Colonel George Mackay of Bighouse, by his wife Louisa Campbell, had nine sons and twelve daughters; 1*st*, Son Hugh, merchant in Antigua, married Miss Wykes, but died without issue; 2*nd*, Major Colin Campbell Mackay now of Bighouse, who married Marjory, daughter and co-heiress of Patrick Cruikshanks of Stracathro in Forfarshire: issue four sons and two daughters; 3*d*, Robert, who died in Antigua unmarried; 4*th*, Captain Donald of the 70th regiment, married Miss Innes of Aberdeen: issue two sons and two daughters; 5*th*, Rupert, who died in Jamaica unmarried; 6*th*, Charles Ross Mackay, R.N. first lieutenant on board the Frolic sloop of war, killed in an engagement on the American coast; 7*th*, Captain Honyman M'Queen Mackay, of the 90th regiment of foot: 8*th*, Robert, who died in Antigua unmarried; the other son died in infancy. The eldest daughter, Janet, now Lady Duffus, married Sir Benjamin Dunbar of Hempriggs, bart. now Lord Duffus: issue, the Hon. George Dunbar Sutherland, honourable Robert Dunbar Sutherland; and two daughters, the honourable Louisa and Henrietta: the former married Garden Duff of Hatton: issue five sons and three daughters; and the other, Henrietta, married William Wymess of Southdun: issue two sons and two daughters, the eldest of whom lately married her cousin, James Sinclair of Forss; 2*nd*, Jane, married Captain George Sackville Sutherland of Uppat: issue six sons and four daughters; 3*d*, Alexanderina,

married Gabriel Reid of Gordonbush: issue two sons and six daughters, the eldest married William Ross, Esq.; 4*th*, Johana, married the late James Sinclair of Forss: issue four sons and five daughters; the eldest son, James, now of Forss, married his cousin Miss Wymess; 5*th*, Eneasina, married John Fearn, Esq. London: issue one daughter; 6*th*, Georgina Ann Sutherland, married Lieutenant-colonel M'Niel: issue two sons; 7*th*, Harriet Marian, married Harry Shaw of Three Rivers, St Vincent: issue three sons and two daughters; 8*th*, Margaret Carr, married Captain Matthew Poplewell, R.N.: issue four sons and two daughters; 9*th*, Duncan Forbes, married Captain Pearse, R.N.: issue one son and two daughters; 10*th*, Louisa, died unmarried; and the other two daughters died in infancy. Colina, youngest daughter of Colin Campbell of Glenure, married James Baillie, Esq. of Grenada: issue three sons and three daughters; the eldest son, Alexander, unmarried; the 2*nd*, James, married: issue; the 3*d*, Evan, married: issue. The eldest daughter married Mr Higgins: issue three daughters, the eldest of whom married a nobleman in Sicily: issue one son; the 2*nd* married Mr Peach of London; and the 3*d* married Captain Lloyd, R.N. Mary, second daughter of Colonel Hugh Mackay of Bighouse, married Mr Baillie of Rosshall: issue six sons and one daughter. All the sons died unmarried, except General Mackay Hugh Baillie, who left issue; the daughter, Catherine, married Roderick Mackenzie of Fairburn: issue two sons and two daughters.

William Mackay of Renevy, son of the second William of Bighouse, had a son Angus, who succeeded him, and married Ann, daughter of Hector Mackay of Skerray; she had a sasine for her liferent in the lands of Renevy, dated 18th July 1709, in which she is designed, "Ann M'Kay, relict of umq^{ll} Angus M'Kay of Rhenevy."* Of this marriage he had a son, William Mackay, who had sasine in the lands of Renevy, in the year 1729; and a daughter, Marion, married to James Mackay of Skerray, chief of the M'Phaul Mackays, before mentioned: issue three sons, 1*st*, Angus of Islington; 2*nd*, Major-general Alexander, adjutant-general of Scotland; 3*d*, George of Eccleston; and four daughters, 1*st*, Elizabeth, married to Hector Mackay of Clashadie; 2*nd*, Ann, married to William Mackay of Melness; 3*d*, Janet, married to Donald Mackay of Borgie; and 4*th*, Bessie, married to Major Donald Mackay of Eriboll.

THE PRINCIPAL FAMILY CONTINUED.

Hugh Mackay of Farr, who succeeded his father Iye Dow, married, 1*st*, Lady

* Register of Sasines for Sutherlandshire.

Elizabeth Sinclair, youngest daughter of George Earl of Caithness; issue, one daughter, Christian, who married John Mackintosh of Dalzell, brother-german of the laird of Mackintosh; and 2*d*, Lady Jane Gordon, eldest daughter of Alexander Earl of Sutherland: issue, two sons, Donald first Lord Reay, and John Mackay of Dirlet and Strathy; and two daughters, Anna, married to Alexander Sinclair of Brims; and Mary, married to Sir Hector Munro, the first baronet of Fowlis.

THE STRATHY BRANCH OF MACKAYS.

John Mackay of Dilred or Dirlet and Strathy, second son of Hugh Mackay of Farr, by his wife Lady Jane Gordon, eldest daughter of Alexander Earl of Sutherland, was the first of this branch. He had a disposition, dated 23d September 1626, from his elder brother Donald, first Lord Reay, of the lands and barony of Dilred and others in the county of Caithness, of which he obtained a charter of confirmation from his cousin-german, John, Earl of Sutherland, dated 5th day of September 1633. In 1619, he married Agnes, daughter of Sir James Sinclair of Murkle, county of Caithness, by his wife Lady Elizabeth, third daughter of Robert Stuart, Earl of Orkney: issue three sons, Hugh, John, and James; and two daughters, Elizabeth, who married Patrick Sinclair of Ulbster, son of John Sinclair of Brims, as appears by their marriage contract, dated 20th February 1640; and Jane who married the second William Mackay of Bighouse. He was succeeded by his eldest son, Hugh; his second son, John, obtained the lands of Skerray and others; and his youngest son, James, those of Kirtomy and others.

John Mackay of Skerray, the second son, had sasine in the town and lands of Skerray and others, dated 18th May 1675.* He married Margaret, daughter of Hector Munro of Eriboll: issue four sons and three daughters: His sons were, 1*st*, Hector, who succeeded him in Skerray; 2*nd*, Donald, who studied the law, and was a writer in 1686, and who married Marion, daughter of Donald Munro of Arnaboll: issue Hugh and John; 3*d*, Hugh of Cairnloch,† who was twice married: 1*st*, to Christian, third daughter of Robert Mackay of Achness, (as mentioned in the clan-Abrach branch): and, 2*nd*, to his cousin-german, Margaret, youngest daughter of Patrick Sinclair of Ulbster. He had issue by his first marriage, besides other children, Robert

* Register of Sasines for Sutherland.

† In a bond, dated 5th September 1634, granted to John Sinclair of Ulbster, this Hugh is designed "lawful son to John M'Ky of Skerra;" and he is a party to a sasine granted by his brother Hector, dated 5th April 1688.—*Caithness Sheriff-Court Record.* Reg. ut Sup.

Mackay in Clyth, county of Caithness, who married in 1718, Janet, daughter of George Edwards of the family of Pearsie, Forfarshire: issue, John Mackay in Clyth; and other children, whose descendants are now extinct. This John in Clyth married Janet, second daughter of John Donaldson of Leyland, as appears by their contract of marriage, dated 15th December 1758: issue five sons; and two daughters, the eldest of whom, Anne, married in 1785, Alexander Sutherland, merchant in Edinburgh: issue a son, John, now merchant in Edinburgh; and the other daughter, Janet, in 1797, married James MacGregor of Fonab, county of Perth. The sons were, 1*st*, Robert, who died at Edinburgh in 1792, unmarried; 2*nd*, John, who married in 1802, Jane, daughter of Walter Dunlop of Whitmoorhall, county of Roxburgh, and has issue, sons and daughters; 3*d*, Francis, who married twice, and has issue; 4*th*, James; and 5*th*, Alexander Mackay of Blackcastle, county of Edinburgh, who married in 1799, Isabella, daughter of William Hogg, merchant in Berwick: issue in life, a son, John Alexander Mackay. George, 4th son of John of Skerray, married and had issue.

Hector Mackay of Skerray, who succeeded his father, John of Skerray, married Barbara, second daughter of Captain William Mackay of Borley :* issue four sons, 1*st*, Donald of Skerray; 2*nd*, John of Clashneach; 3*d*, Angus; 4*th*, George; and a daughter, Ann, married to Angus Mackay of Renevy: issue, William of Renevy, and a daughter married to James Mackay, late of Skerray, of whom before, and afterwards, in the Kirtomy branch. Donald of Skerray, (who had sasine in his father's lands, dated 17th May 1723,†) married Esther, daughter of Donald Gun, chief of the clan-Gun: issue, a daughter, married to John Mackay of Moudale: issue George who emigrated to America, Major Donald Mackay of Eriboll; Lieutenant William; and four daughters, all mentioned in the clan-Abrach branch. John Mackay, second son of Hector of Skerray, who had sasine in the lands of Clashneach and others, dated 3d February 1729,‡ married Catherine, daughter of William Mackay of Melness: issue, Colonel Hugh Mackay of Jamaica, and a daughter, Isobella, who was celebrated for her accomplishments by Rob Don, in his song, entitled *Ishbal N'Caoi*; she married a gentleman of the name of Sutherland, (Kenneth of Keoldale?); Colonel Hugh married, 1*st*, Frances de Larue, daughter of Charles de Larue of Jamaica: issue, a son, Charles, who died young, and a daughter, Isabella, who married Dr Hugh Mackay, son of Robert Mackay, tutor of Farr; and 2*nd*, Janet, daughter of John Sutherland of Lairg: issue Caroline, married to Captain John Mackay, Skerray.

* *5th April* 1638. Hector Mackay of Skerray, granted sasine to Barbara Mackay, his spouse, in liferent, and to Donald Mackay, their eldest son, in fee.—*Sutherland Sasine Record.*

† Ibid. ‡ Ibid. ‖ Ibid.

James Mackay of Kirtomy, third son of John of Dirlet and Strathy, had sasine in the lands of Kirtomy and Swordly, dated 30th June 1670; he married Jane, third daughter of the Hon. Sir James Fraser of Brea, third son of Simon Lord Lovat: issue, two sons, John of Kirtomy, and James of Borgy; and a daughter, Magdaline, married to John Fearn of Balachladich. John Mackay of Kirtomy married Elizabeth, daughter of James Sinclair of Lybster: issue, three sons and six daughters: the sons were, 1*st*, Captain James of Borgy; 2*nd*, John, who succeeded to Kirtomy; 3*d*, George, writer in Thurso, who had a son, William Mackay, father of Lieutenant-general Robert Mackay of the East India Company's service, now residing at Sedcop-house, Kent. 1*st* daughter, Catherine, married the Rev. John Mackay, minister of Lairg; 2*nd*, Mary, married William, son of Hugh Mackay of Strathy; 3*d*, Margaret, married the chief of the clan-Gun; 4*th*, Elizabeth, married the Rev. Andrew Sutherland, minister of Halkirk; 5*th*, Jane, married the Rev. William Scobie, minister of Assint: issue of which marriage, Kenneth Scobie of Achimore; the Rev. William Scobie, minister of Wick; and Major John Scobie of Melness; 6*th*, Janet, married Robert Mackay, tutor of Farr, of whom afterwards in the Sandwood branch. James Mackay of Borgy married Elizabeth, daughter of the Rev. David Munro, minister of Reay: issue an only daughter, Margaret, heiress of Borgy. Captain James, eldest son of the first John Mackay of Kirtomy, married this Margaret, heiress of Borgy, his cousin-german.* The second John Mackay of Kirtomy married a daughter of Provost Fraser of Inverness: issue, but died young. He married, 2*dly*, Jane, daughter of Donald Mackay of Farr; issue, Donald of Borgy, and Captain James, who lived some years in Thurso, and died lately in London; this Jane married, 2*dly*, Captain William Mackay of Kinloch: they both died in Thurso in 1772, without issue. Donald of Borgy married Janet, daughter of the late James Mackay of Skerray, chief of the Macphaul branch of Mackays; issue, two sons, Captain John Mackay, Skerray; and James, who died unmarried; and two daughters Elizabeth and Jane: the former of whom married Captain William Mackay in Skail; Captain John in Skerray married Caroline, daughter of Colonel Hugh Mackay of Jamaica, before mentioned; issue, three sons, Hugh, who died young;

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* Contract of marriage, dated 8th December 1724, betwixt Ensign James Mackay of Colonel Cunningham's regiment, eldest son of John Mackay of Kirtomy, with consent of his father, and Elizabeth Sinclair, his mother, and Margaret Mackay, only daughter of James Mackay of Borgy, and Elizabeth Munro, his wife, with her father's consent. Written by George Mackay, lawful son of the said John Mackay of Kirtomy.—*Caithness Sheriff-Court Records.*

James, and Donald; and a daughter, Janet, who lately married Lieutenant Robert Mackenzie of Borgy, great-grandson of the last John Mackay of Strathy.

Hugh Mackay of Strathy,* eldest son of John of Dilred and Strathy, was twice married, 1*st*, to a daughter of the second William Mackay of Bighouse; issue, two sons, John who succeeded him, and William. He married, 2*dly*, Jane, eldest daughter of John Lord Reay, and widow of Robert Gordon of Langdale, (see page 392,) by whom it does not appear that he had any issue.

John Mackay (2*d*) of Strathy, married Elizabeth, daughter of John Sinclair of Brims, by his wife, Anna Mackay: issue, three sons, Hugh, who succeeded his father; George; and William.†

George, the second son of this John of Strathy, married Barbara, daughter of William Sinclair of Thrumster: issue, Hugh Mackay of Dalangdale, who married the eldest daughter of Dr John Mackay of Falside, but had no issue.

William, the third son, married a daughter of the second John Mackay of Kirtomy: issue a son, Hugh, who was father of John Mackay, solicitor in Inverness, who is the male representative of the family of Strathy.

Hugh Mackay (2*d*) of Strathy, was twice married, 1*st*, to Barbara, daughter of Richard Murray of Pennyland: issue five sons, John, his successor, George, Patrick, James, and Hugh.‡ These four younger sons all died without issue. He married, 2*ndly*, Jane, daughter of Budge of Toftingall.‖

John Mackay (3*d*) of Strathy, married Janet, daughter of William Sinclair of Scotscalder: issue two sons, Hugh and George, both of whom died without issue; and two daughters, Margaret and Barbara, co-heiresses of the estate of Strathy, Armadale, &c. Margaret married Patrick Honyman of Græmsay in Orkney: issue, (besides two daughters, Janet and Barbara,) a son, the late Sir William Honyman, baronet, who was one of the senators of the College of Justice, under the title of Lord Armadale; he died 5th January 1805, and is succeeded by his son, Sir Rich-

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* On the 6th May 1681, Hugh Mackay, with consent of his son, John, and John Mackay of Skerray, and James Mackay of Kirtomy, for their interests, granted disposition of the lands of Dilred, and others in Caithness, to John Sinclair of Ulbster: since which time the family have been designed of Strathy only.

† 1*st June* 1709. Tack by "Mistress Elizabeth Sinclair, mistress of Strathie," of her jointure lands of Dalangdale to her eldest son, Hugh Mackay of Strathy: Witnesses, "John M'Ky of Kirtomie, and George and William M'Kys, brothers to the said Hugh M'Ky."—*Caithness Sheriff-Court Record.*

‡ 23*d October* 1721. Bond of provision by Hugh Mackay of Strathy, in favour of George, Patrick, James, and Hugh Mackays, his younger sons of his marriage with Mrs Barbara Murray.—*ib.*

‖ 8*th February* 1726. Sasine in favour of Jane Budge, spouse to Hugh Mackay of Strathy, in the lands of Strathy, for her liferent, in terms of their contract of marriage.—*Register of Sasines for Sutherlandshire.*

ard B. Honyman, baronet. Barbara, the youngest daughter of John of Strathy, married Major John Scobie of Melness: issue, 1*st*, Janet, married to Lieutenant John Mackenzie of Badnabay: issue, three sons, and three daughters; 2*nd*, Jane, who married Captain Angus Mackay of Rogart: issue a son, John Scobie Mackay who died in Jamaica: and a daughter, Barbara, lately married to Robert Leith of Culgour; 3*d*, Captain Mackay John Scobie, mentioned in the clan-Abrach branch; 4*th*, Captain Kenneth Scobie of the marines, who has by his marriage a son, Mackay John Scobie, and five daughters, one of whom is married to Alexander Gair, banker in Tain.

THE PRINCIPAL FAMILY CONTINUED.

DONALD, first Lord Reay, had five wives; 1*st*, the Hon. Barbara Mackenzie, Lord Kentail's daughter: issue four sons, Iye, who died young; John his successor; Hugh, who died young; and Colonel Æneas Mackay of Melness; and two daughters, Jane and Mary. Some say that Jane married the second William Mackay of Bighouse; but others, with more probability, state that his wife was Jane, daughter of John Mackay of Dilred; Mary married Sir Robert Macleod of Talisker in Skye. 2*ndly*, Lady Mary Lindsay, daughter of the Earl of Crawford: issue, Donald Mackay of Dysart. 3*dly*, Rachel Winterfield: issue a son, Donald. 4*thly*, Elizabeth Thomson: issue, a daughter, Ann, who married Alexander Macdonald, brother-german of Sir James Macdonald of Sleat. And, 5*thly*, Marjory, daughter of Francis Sinclair of Stircoke: issue three sons, Captain William of Kinloch, Charles of Sandwood, and his twin brother, Rupert, who died without issue; and two daughters, Margaret, who died at Thurso in 1720, and Christian.

THE MELNESS BRANCH OF MACKAYS.

THE Hon. Colonel Æneas Mackay of Melness, the first of this branch, second son of Donald, first Lord Reay, by his first wife, the Hon. Barbara Mackenzie, daughter of Lord Kentail, married, 1*st*, his cousin, a daughter of Roderick Mackenzie of Redcastle: issue, besides other children, John, who succeeded him. He married, 2*ndly*, Catherine, daughter of Alexander Gun of Killernan, chieftain of the clan Gun.*

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* Sasine in favour of "Angus M'Ky of Melness, and Katherin Gun, his spous, of the lands of Melnes, and teynds thereof," dated 4th, and recorded 7th August 1676.—*Register of Sasines for Sutherland-shire.*

John Mackay of Melness married Isabella, daughter of Captain William Mackay of Borley: issue, besides other children, William who succeeded him.

William Mackay of Melness was twice married, 1*st*, to Janet, youngest daughter and co-heiress of George Mackay of Bighouse:* issue two sons, George, who died without issue, and John of Melness, afterwards of Torboll; 2*nd*, to Ann, daughter of James Mackay of Skerray; no issue.

John Mackay of Torboll married Esther, daughter of Kenneth Sutherland of Torboll: issue, besides daughters, Captain Kenneth Mackay of Torboll, and Captain William Mackay of Stennes. Captain Kenneth married Janet, daughter of Major George Sutherland of Midgarty: issue, Robert, Eric, and Ebenezer, and five daughters: Easter, married to William Murray provost of Tain; Jane, married to William Murray, banker in Tain; Mary, married to Lieutenant Patrick Pope of the Madras establishment; Harriet, and Williamina. Captain William Mackay also is married, and has issue.

THE KINLOCH BRANCH OF MACKAYS.

The Hon. Captain William Mackay of Kinloch, son of Donald, first Lord Reay, by his last wife, Marjory Sinclair, married Ann, daughter of Colonel Hugh Mackay of Scowry: issue, besides other children, George, who succeeded him.

George Mackay of Kinloch married Elizabeth, daughter of the second Angus Mackay of Bighouse:† issue four sons, 1*st*, Captain William, who succeeded his father; 2*nd*, Captain Angus; 3*d*, Captain Patrick; and, 4*th*, Donald, and three daughters, the eldest of whom, Elizabeth, married William Campbell of Isauld: no issue; the 2*nd*, Janet, married Robert Mackay in Durness: issue an only daughter, Christian, who married William Mackay in Thurso: issue, the author of this work, as mentioned in the clan-Abrach branch; and the 3*d* daughter, Catherine, married William Gun of Kildonan: issue two sons, Angus and Patrick.

The 2*d* Captain William Mackay of Kinloch married Jane, daughter of Donald Mackay of Farr; they both died at Thurso in 1772, without issue; Captain Angus married and left a daughter, Ann; Captain Patrick died unmarried; Donald married but had no issue. William and Patrick, the author's grand-uncles, had served in Holland in the Scots brigade.

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* Sasine in favour of William Mackay, eldest son of John Mackay of Melness, and Janet Mackay, his spouse, in the lands of Melness, 1727.—*Register of Sasines for Sutherlandshire.*

† Sasine dated 2d October 1712, in favour of George Mackay of Kinloch, Elizabeth Mackay his spouse, and William Mackay, their eldest son, in the lands of Kinloch.—*ibid.*

THE SANDWOOD BRANCH OF MACKAYS.

The Honourable Charles Mackay of Sandwood, son of Donald first Lord Reay, by his last wife, Marjory Sinclair, married Elizabeth, daughter of Captain William Mackay of Borley: issue, two sons, Donald of Farr; and Robert, designed tutor of Farr, having been made tutor to his brother's children. This Donald married a daughter of Sutherland of Rhiarchar: issue, besides several other childern, Jane, who married, 1*st*, John Mackay of Kirtomy and Borgy; and, 2*nd*, Captain William Mackay of Kinloch. Robert married, 1*st*, Elizabeth, daughter of Mackenzie of Glenlerag in Assint: issue, 1*st*, Jane, married to Donald Forbes, sheriff-substitute of Caithness and Sutherland: issue, besides other children, Duncan Forbes who died in the West Indies, and Major Donald Forbes now in Kinloch; 2*nd*, Mrs Donald Mackay in Sandwood; 3*d*, Mrs Hugh Mackay in Kinlochbervy, mother of Robert, sometime in Kinlochbervy, father of Captain James Mackay, now in Evelix near Dornoch. The tutor, by this marriage, had a son, Hugh, who died abroad, much lamented, to whose memory Rob Don composed a pathetic elegy. He married, 2*ndly*, Janet, daughter of John Mackay of Kirtomy: issue, 1*st*, George of Handa, afterwards of Bighouse; 2*nd*, Captain John of Auldany in Assint, who died in his prime, and left four daughters, Mrs Captain Alexander Clarke, Mrs Captain Kenneth Mackenzie of Laidbeg in Assint, Mrs Hugh Clarke of Auldany, and Mrs William Scobie of Ardvarre; 3*d*, Dr Hugh of Jamaica; 4*th*, Rupert of Jamaica; 5*th*, Captain Æneas of Scotstown; 6*th*, Major Donald of the Madras artillery; and, 7*th*, Captain Alexander of the 42nd regiment. The tutor's daughters of this marriage, were, 1*st*, Mrs Kenneth Scobie of Achimore; 2*nd*, Mrs Robert Gordon of Achness; 3*d*, Mrs Captain John Gray; and, 4*th*, Mrs Donald Mackay of Skinet, mother of Captain Robert Mackay, of the 21st regiment. George of Handa married Louisa Campbell, co-heiress of Bighouse: issue nine sons and twelve daughters, who are particularly described in the Bighouse branch. Captain Æneas Mackay of Scotstown married, 1*st*, Janet Campbell of Barcaldine, sister of the Countess of Caithness; and, 2*nd*, Miss Mill of Millfield: issue, by his first wife, Robert, merchant in Glasgow, who married Miss Bennet, niece of the Bishop of Cloyne; by his second wife he had Thomas, writer to the signet; Donald, Æneas, and James, all officers in the East India Company's service; and two daughters, Isabella mar-

ried to Hugh, second son of Sir Archibald Hope of Pinkie, baronet; and Helen married to Sir David Moncrieff of Moncrieff, baronet.

THE PRINCIPAL FAMILY CONTINUED.

JOHN, second Lord Reay, married, 1*st*, in 1636, Lady Isabella, daughter of George, Earl of Caithness, by whom he had a son, George, who died about the year 1670, without issue; and a daughter, Jane, who married, 1*st*, Robert Gordon of Langdale; and 2*ndly*, Hugh Mackay of Strathy. 2*nd*, In 1649, this Lord Reay married Barbara, daughter of Colonel Hugh Mackay of Scowry: issue by her, three sons, Donald, master of Reay; the Hon. Brigadier-general Æneas, of whom afterwards; and the Hon. Colonel Robert of the Scots fusiliers, who died at Tongue 1696, unmarried; and three daughters, Joanna, married to William Fraser of Struy; Sibella, married to Lauchlane Mackintosh of Aberardrie, brother-german of the laird of Mackintosh; and Anna, married to Captain Hugh Mackay of Scowry. (*See* p. 393-4.)

THE HOLLAND BRANCH OF MACKAYS.

BRIGADIER-General the Hon. Æneas Mackay, colonel of the Mackay Dutch regiment, second son of John Lord Reay, by Lady Barbara, daughter of Colonel Hugh Mackay of Scowry, married in 1692, baroness Margaret, daughter of Lieutenant-colonel Baron Francis Puchler, by his wife Jacoba de Bie: issue Colonel Donald of his father's regiment, who married his cousin, Baroness Arnolda Margaret Van den Steen, grand-daughter of Jacob Van den Steen, and of his wife Anna de Bie: issue Colonel Æneas, Major-general Francis, and Major Donald Hugh of their father's regiment; and a daughter, Frances Jacoba, afterwards mentioned. Colonel Donald was killed at the battle of Fontenoy in 1745.

Colonel Æneas Mackay married baroness Urselina Philippina Van Haeftan Van Wadenoyen: issue, four sons, Donald who died at Edinburgh in 1784 without issue; Francis who died at Nimeguen in 1787 without issue; Baron Cornelius Anne; Barthold John Christian. Baron Cornelius Anne Mackay, married, 1*st*, Baroness Jacoba Alexandrina Helena Beata Van Heeckeren Van Enghuyran, 2*d*, Sophia Constance Muelen, also of an ancient family: no issue.

General Francis Mackay, married Baroness Maria Adelheid Van Steekharen Van Enghuyran, and died at Tutphen in August 1817, without issue.

Major Donald Hugh Mackay married Baroness Constantia de Geer Van Rynhuyren: issue two sons, 1*st*, Baron Donald Arnold Alexander, who died in the Jeremy bay, St Domingo, in 1796, without issue; and, 2*d*, Jan Louis, who resides at Cheltenham, and is married.

Baron Barthold John Christian Mackay, married Baroness Ann Magdaline Frederica Henrietta Van Renesse Van Wilp: issue, two sons, Baron Æneas, and Baron John Francis Henry Jacob Ernest.

Frances Jacoba Mackay, daughter of Colonel Æneas, married Baron Vygh of the Suer and Appelenburgh, president of the court of justice of Guelderland, who was grandson, by his mother, of Jacob Baron Van Byenheim of Appelenburgh, and of his wife Josina de Bie: issue, a daughter, Margaret Vygh, who married J. N. Baron Van Eck of Overbell, one of the nobles of Guelderland.*

THE PRINCIPAL FAMILY CONTINUED.

Donald Mackay, master of Reay, eldest son of John 2d Lord Reay, by his wife Lady Barbara, daughter of Colonel Hugh Mackay of Scowry, married a daughter of General Sir George Munro of Culrain: issue, George, 3d Lord Reay.

George third Lord Reay married, 1*st*, Margaret, daughter of General Hugh Mackay of Scowry;issue, a son, Donald, who succeeded him; 2*dly*, Janet, daughter of John Sinclair of Ulbster: issue a son, the Honourable Colonel Hugh Mackay of Bighouse, and a daughter, Ann, who married John Watson of Muirhouse; 3*dly*, Mary, daughter of John Doull, writer in Edinburgh: issue, two sons, the honourable George Mackay of Skibo, and the honourable General Alexander Mackay, commander-in-chief in Scotland; and four daughters; 1*st*, Mary; 2*d* Harriet; 3*d*, Christian, married to the Rev. Dr Erskine of Edinburgh; and 4*th*, Marion. The Honourable George Mackay of Skibo married Ann, daughter of Eric, commonly called Lord Duffus, eldest son of Kenneth Lord Duffus: issue, four sons; 1*st*, George, who died in the East Indies, unmarried; 2*d*, Eric, the present Lord Reay; 3*d*, Major Alexander of the 93d regiment; and 4*th*, Captain Donald Hugh of the royal navy. General Alexander married, as has been stated, page 543, but had no issue.

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* Information regarding this branch has been communicated by Baron Cornelius Anne Mackay, and others in Holland, to John Mackay of Rockfield, Esq.

Donald, fourth Lord Reay, married, 1*st*, Marion, daughter of Sir Robert Dalrymple of North Berwick; issue, two sons, George who succeeded him; and Hugh, who succeeded the latter; 2*dly*, Christian, daughter of Sutherland of Pronsy: issue, a daughter, Mary, who married Major Edgar of the 25th regiment of foot.

George, fifth Lord Reay, married, 1*st*, Marion, daughter of the Honourable Colonel Hugh Mackay of Bighouse: issue, died at the birth; 2*d*, Elizabeth, daughter of Fairly of that ilk: issue, two daughters, the Honourable Marian, who married the late Colonel Fullarton of that ilk, M.P.; and the Honourable Georgina.

Addenda to the CLAN ABRACH BRANCH.

William Mackay of Tubeg, (afterwards of Achoul,) mentioned, pages 560-1, had a daughter Elizabeth, who married, 1*st*, Duncan Matheson of Skinness, to whom she had Captain Donald Matheson of Shinness, mentioned under the Scowry branch; she married, 2*dly*, Dr Archibald Campbell, who emigrated to America in 1772: issue, besides several other children, George Washington Campbell of Virginia, who was secretary to the American treasury, and afterwards ambassador of the States at the court of St Petersburgh. Her cousin-german, George Mackay, eldest son of John Mackay of Moudale, (page 572), accompanied her husband and her to America. Her brother, William Mackay in Achoul, mentioned page 561, died about three years ago, aged 101 years.

George Mackay in Achoul (page 561.) left other two sons, besides Robert of Kilmote, and Captain Donald, viz. his eldest son Captain John Mackay in Rogart, and Hugh Mackay, merchant in Edinburgh.

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